

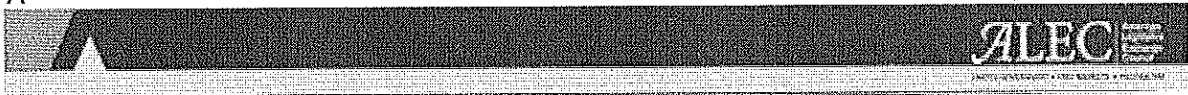
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## Events and Education - September 19, 2017



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ALEC is two-stepping down to Nashville for the States and Nation Policy Summit. We have lots of exciting speakers including EPA Administrator Scott Pruitt, HHS Secretary Tom Price, Dr. Art Laffer and economist Steve Moore.

We are looking forward to seeing you December 6-8, 2017. Register [here](#).

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ALEC Academies are Coming



ALEC staff and members will be hard at work these next coming months with nine different academies in cities all over the country.

If you are interested in learning more about the programs, please email your Task Force Director.

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### New Task Force: Homeland Security

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The Homeland Security Task Force was created at our Annual Meeting in Denver. It will focus on security issues and how our principles of free markets and limited government can help solve them.

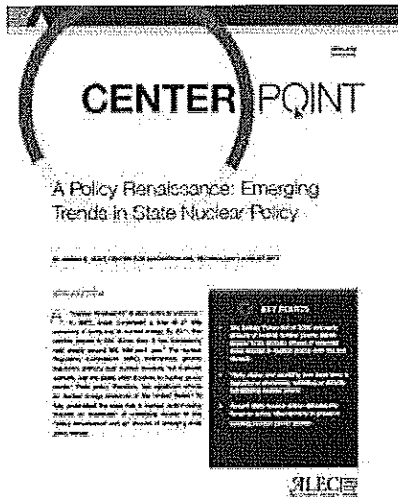
To find out more, email Task Force Director Jonathon Hauenschild: [jhauenschild@alec.org](mailto:jhauenschild@alec.org).

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### Featured Publication

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**CenterPoint: A Policy Renaissance: Emerging Trends in State Nuclear Policy**  
Sarah Hunt | Center for Innovation and Technology



A "nuclear renaissance" in state policy is underway. In 2007, states considered a total of 27 bills pertaining in some way to nuclear energy.

By 2011, this number leaped to 205. Since then, it has consistently heald steady around 200 bills each year. The Nuclear Regulatory Commission (NRC) holds general regulatory primacy over nuclear reactors, but it shares authority with the states when it comes to nuclear power plants.

State policy, therefore, has significant effect on nuclear energy resources in the United States... (Read more)

[Read the Full Report](#)



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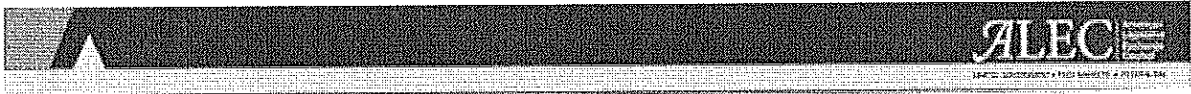
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Digital Exchange - September 21, 2017



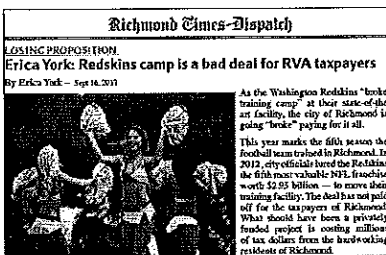
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## Redskins Camp is a Bad Deal for RVA Taxpayers

Erica York | Tax Analyst, ALEC Center for State Fiscal Policy | *Richmond Times-Dispatch*

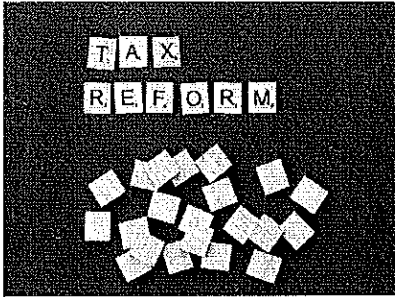


ALEC Tax Analyst Erica York writes: "Richmond agreed to a \$10 million contract to build the Redskins training center. What should have been a privately-funded project is costing millions of tax dollars. Let's put an end to taxpayer-funded sports facilities..." ([more](#))

## In The News

## New ALEC Survey Shows Wide Support for Tax Reform

Joel Griffith and Jonathan Williams | ALEC Center for State Fiscal Policy | *Political Vanguard*



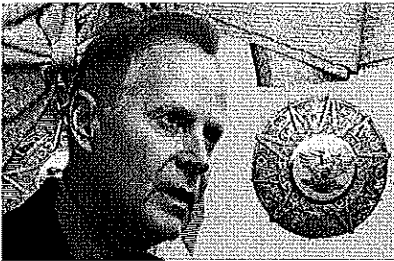
The senior members of ALEC's Center for State and Fiscal Policy discuss the results of their latest survey of state legislators and emphasize the need for meaningful tax reform in their op-ed for *Political Vanguard*... [\(more\)](#)

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## Member Focus

### David Dreier Receives the Order of the Aztec Eagle

Karla Jones | Director, ALEC Federalism and International Relations Task Force



Former California Congressman David Dreier received the highest honor Mexico can bestow on a foreign national – the Aztec Eagle. Mexico's President Enrique Peña-Nieto honored Rep. Dreier because of his unwavering leadership on the U.S.-Mexico economic partnership, including his early and continuing support for the North American Free Trade Agreement (NAFTA)... [\(more\)](#)

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## Expert Insight

### The Way is Paved for Autonomous Vehicle Technologies

Robert Ordway and Jonathon Hausenchild | American Legislative Exchange Council



The Federal Government is starting to act on Autonomous Vehicle Technologies. The Trump administration, through Secretary Elaine Chao and the U.S. Department of Transportation, just announced a new guidance document for automated driving systems... [\(more\)](#)

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## Early Bird Registration

## Exciting Line-Up of Speakers -- Register Now



Join policy leaders from across the country at the States & Nation Policy Summit in Nashville on Dec. 6-8. Register now to book your hotel room and save your spot... [\(register here\)](#)

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### Legislator of the Week Q&A

## Fighting Big Government in Western PA

# State Legislator of the Week

**JOHN EICHELBERGER JR.**  
Pennsylvania State Senator



Find out what makes Senator John Eichelberger tick. Whether its railing against big government or looking for ways to balance the budget, this central PA legislator is passionate about serving his constituents. Fun fact: guess how many steaks he ate in one sitting to set a record? (hint: more than a dozen)...[\(more\)](#)

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## Expert Opinion

### **Protests: Enforce the Laws on the Books Before Writing New Ones**

Daniel Turner | Analyst, ALEC Center to Protect Free Speech



Exercising one's free speech rights should be easy. It should not be like going to get a driver's license. The more rules, restrictions, caveats, and forms that are involved in free speech, the less likely people are to exercise their free speech rights... [\(more\)](#)

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## New Task Force: Homeland Security



The Homeland Security Task Force was created at our Annual Meeting in Denver. It will focus on security issues and how our principles of free markets and limited government can help solve them.

To find out more, email Task Force Director Jonathon Hauenschild: [jhauenschild@alec.org](mailto:jhauenschild@alec.org).

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Dear ALEC Legislative Members,

Congress needs to hear from you, the state legislators, on the pressing need for Tax Reform. The State and Local Tax (SALT) represents a roadblock to broad federal tax reform, and shifts the cost of mismanagement on to taxpayers. Investment in business growth is more important than subsidizing state and local government spending. Americans need pro-growth tax reform to ensure a robust economy and to promote prosperity.

Please read the letter below and consider signing on to share your voice with Congress. ALEC will share this letter and your support this week during critical tax discussions, and I need to you to sign on right away. In addition, if you have any colleagues who might agree with this letter, please forward this e-mail and request they sign on. To sign, simply click the button below and fill out the form on the signature page.

Sincerely,

Jonathan Williams,

Chief Economist  
ALEC



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## **An Open Letter to Congress: Reduce Tax Rates for All Taxpayers by Eliminating Unproductive SALT Deduction**

States desperately need a return to robust national economic growth in addition to fiscal discipline on the spending side of the ledger. **Eliminating the state and local tax (SALT) deduction would provide upwards of \$1.5 trillion over the next decade to implement broad-based tax cuts nationally.** This overhaul would spur the growth in economic output needed to jolt business investment, personal income growth, and job growth.

In addition to being a roadblock to broad federal tax reforms, the SALT deduction partially shifts the costs of mismanagement elsewhere. Thanks to SALT, income earners and businesses in lower-taxed states pay a higher effective federal income tax rate than their high-taxed counterparts since they deduct less from their taxable income. **In effect, citizens in more fiscally responsible regions subsidize the malfeasance of politicians thousands of miles away.**

Adding to the innate unfairness of the current SALT deduction, **only a small fraction of those paying state and local taxes realize any federal tax benefit from the deduction.** Only 30 percent of tax filers itemize at all for the simple fact that individuals must choose between the “standard deduction” of either \$6,300 or the total of all other allowable deductions. In other words, all workers pay state and local taxes; but only the minority of workers who itemize deductions see a partial “refund” of those taxes paid. A far lower percentage of middle-class workers itemize compared to their higher-earning counterparts. As a result, the SALT deduction operates very similarly to a regressive tax by rebating a relatively higher portion of state and local taxes as one earns more income. Lowering the tax rates on all by eliminating the SALT deduction will benefit all Americans—wealthy and poor alike—by incentivizing the investments in business enterprises and technology needed to accelerate national economic growth.

For many taxpayers outside of the high-tax locales, the savings from lower federal rates will outweigh the loss of the federal deduction even without positive changes at the state and local level. **Abolishing SALT would force residents to take a much**

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**harder look at their state and local tax rates** . Especially in the highest taxed states, the loss of the deduction will increase community demands for more responsible management of government resources. But even taxpayers in high-tax areas disproportionately benefiting from the existing SALT deduction will benefit from its elimination. The larger tax base resulting from accelerated growth will alleviate some of the impetus for higher state and local rates.

**The hardworking men and women of America need pro-growth tax reform to ensure a healthy economy in the months and years ahead.** Incentivizing investment and business expansion by lowering the penalty on success (the income tax) produces far more growth than subsidizing state and local government spending through the SALT deduction.” For these reasons, we support efforts to eliminate the state and local income tax deduction in exchange for lower federal income tax rates across the board.

Sign the Letter Here

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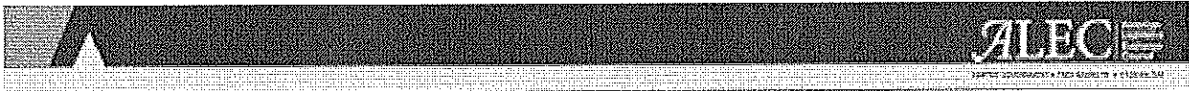
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[Center to Restore the Balance of Government - Sep. 26, 2017](#)



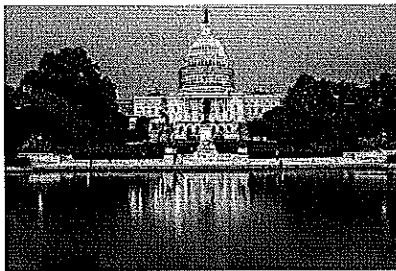
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## Conference Call

### ALEC-Federal Coalition Partners



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Join the ALEC-Federal Coalition Partners Call - Friday, September 29 at 3:00 pm ET. You don't want to miss this opportunity to hear directly from the U.S. House, Senate and White House coalition teams as they bring you timely updates from Capitol Hill.

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## Expert Opinion

## Honoring America's Guide

Karla Jones | Federalism



[Read the Full Article](#)

On September 17, the U.S. Constitution celebrated its 230<sup>th</sup> birthday. George Washington described the document as "The guide which I will never abandon." While today's Americans may not have abandoned it, we certainly have become woefully ignorant of its contents.



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## Expert Opinion

### History Was Made in Phoenix This Month

Karla Jones | Federalism



[Read the Full Article](#)

On September 12, official delegations from 19 states joined by observers from three to four additional states convened to plan for a convention for proposing a balanced budget amendment to the U.S. Constitution pursuant to Article V. Members of ALEC were prominent participants.



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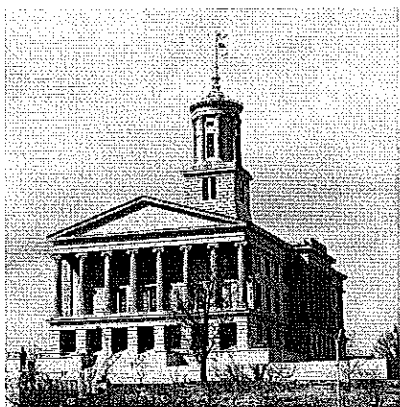
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## Article V in the States Update

### Article V Testimony Before the Tennessee Senate Judiciary Committee

Karla Jones | Federalism



[Read the Full Article](#)

Karla Jones, Director of the ALEC Task Force on Federalism and International Relations, appeared before the Tennessee Senate Judiciary Committee. She explained various rules that an amendments convention might want to adopt. Karla also pointed out potential pitfalls that may crop up during the rules drafting process.



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## International Democracy

### **Democracy in Retreat**

Karla Jones & Cy Tongate | International Relations



Democratic principles advanced so steadily that they seemed destined to become universal, however, this progress has been replaced by a rise in authoritarian rule. From free expression to pluralism, from individual rights to rule of law, liberal democracy is retreating worldwide. Since 2000, no fewer than 25 democracies have failed around the world and more show alarming signs of weakening. Because autocrats thrive in darkness, we will shine a spotlight on authoritarian regimes in the ascent as a reminder of the ease with which democracy, including our own, can erode. This month we will look at events in Venezuela and the Philippines. We should heed the words of America's Founders who understood how fragile the republic they created was. "A Constitution of Government once changed from Freedom, can never be restored. Liberty, once lost, is lost forever." 2 – John Adams



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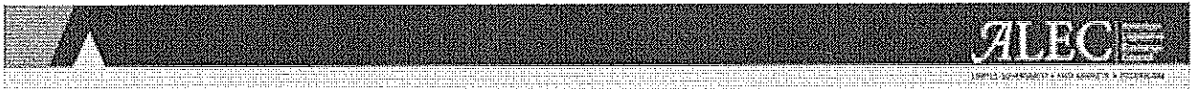
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Digital Exchange - September 28, 2017



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[RSVP for Call](#)

## ALEC Statement on Tax Reform

### Jonathan Williams Responds to Unveiling of Tax Plan

Jonathan Williams | ALEC Center for State Fiscal Reform





Jonathan Williams, ALEC Chief Economist and VP of the Center for State Fiscal Reform, responds to the unveiling of Congressional Republicans' newest tax plan. Williams is optimistic about the bill's passage. "The tax reform framework which was released is a giant leap in the direction of tax policy that will benefit all Americans and erase America's competitive deficit."

[Read Full Statement](#)

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## Video Report

### ALEC Tax Team Joins "Tax Cuts Now" Rally at IRS



On September 15, the ALEC Tax Team joined the Job Creators Network for the "Tax Cuts Now" rally. Standing in front of the IRS, Jonathan Williams, ALEC chief economist, supported President Trump's tax reform proposal, saying, "The federal tax code is the epitome of 'The Swamp'."

[View Video](#)

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## Featured Media

### Taxpayer-Funded Pro Sports Facilities: Bad Public Policy

Erica York | ALEC Center for State Fiscal Reform



What happens when a city negotiates with an organization that knows how to negotiate? That's what happened in Richmond, VA when the city used tax dollars to lure the Washington Redskins to train there. Let's put an end to taxpayer-funded sports facilities. Subsidizing billion dollar pro sport teams is bad public policy.

[View Video](#)

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## Expert Insight

### Illinois Becomes Latest State to Reform Civil Forfeiture

Ronald Lampard | Criminal Justice Reform Task Force



The trend of states reforming their civil asset forfeiture process has continued. This week, Governor Bruce Rauner signed House Bill 303 (HB 303), which places additional protections on individual property rights. HB 303 passed by a 100-1 vote in the Illinois House of Representatives and without any "no" votes in the Illinois Senate.

[Read Article](#)

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## State Spotlight

### Q&A With Missouri Secretary of State Jay Ashcroft



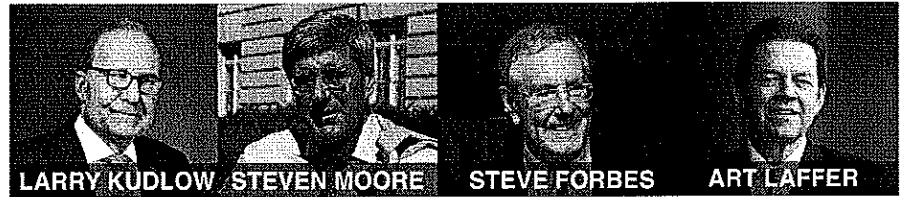
Missouri Secretary of State Jay Ashcroft stopped by ALEC headquarters. While he was here he talked about federalism, limited government and how his father influenced his career. Watch our video and see how this rising star is invigorating his home state.

[View Video](#)

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## Early-Bird Registration

**Exciting Line-Up of Speakers -- Register Now**



Our Nashville "Music City" playlist includes the Dec. 8th *Friday Breakfast* with Larry Kudlow, Steve Moore, Steve Forbes and Art Laffer. They will discuss how to help states prosper. Join them and other policy leaders from across the country at the States & Nation Policy Summit, Dec. 6-8.

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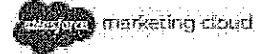


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We thought you would be interested in article "**Influx of Puerto Ricans after Hurricane Maria could tip Florida toward Democrats**"

**Ray Haynes** -- former California State Senator, former ALEC National Chair

**Saul Anuzis** -- former Chairman of the Michigan Republican Party

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## ***Influx of Puerto Ricans after Hurricane Maria could tip Florida toward Democrats***

By James Hohmann

*Washington Post*

September 28, 2017

THE BIG IDEA: More than 50 million ballots were cast by Floridians in the seven presidential elections from 1992 through 2016. If you add them all up, only 18,000 votes separate the Republicans from the Democrats. That is 0.04 percent.

Florida is rightfully considered the swingiest of swing states. Control of the White House in 2000 came down to a few hundred hanging chads - and one vote on the Supreme Court. The past four statewide elections -

two governor's races and two presidentials - were all decided by a single percentage point.

So it could be quite politically significant that tens of thousands of Puerto Ricans, maybe more, are expected to permanently move into Florida as the result of Hurricane Maria. The Category 4 storm has wreaked havoc on the U.S. territory of 3.4 million. Most of the island still doesn't have power a week after Maria made landfall. There are shortages of fuel, medicine, food and running water. Infrastructure that was already crumbling is in ruins.

Puerto Ricans are American citizens, thanks to a law passed in 1917. As a result, all they need to settle in the mainland is a plane ticket or a berth on a boat.

Their citizenship entitles them to vote, and they tend to overwhelmingly support Democratic candidates.

Florida-based Republican operative Rick Wilson thinks the hurricane might be a game changer. "If you put an influx of 100,000 Puerto Ricans who vote Democratic eight times out of 10 in the Orlando area, there you go," he said. "Nobody can afford a big change in the registration pattern or a change in the voting pattern that offsets Florida's narrowness. You could end up with a big advantage for Democrats in 2018 if they play it right. The Puerto Ricans would be coming here because they feel like Donald Trump left them high and dry. That won't fade away. ... It could be a very, very big deal."

Hurricane Katrina had an impact on Texas politics because almost half a million people, mostly African Americans, relocated there from the New Orleans area. "It made Louisiana more red and Texas a bit more blue," said Wilson, who has long been critical of Trump. "Texas could absorb it."

"I don't know if you can say this changes the whole demographic game," said Democratic strategist Steve Schale, who directed Barack Obama's Florida campaign in 2008 and was a senior adviser in 2012. "There are still 20 million people, so a couple hundred thousand here or there isn't a huge deal. But, at the margins, everything matters! It doesn't take a lot."

-- Sen. Marco Rubio (R-Fla.) has told the White House that the federal government needs to quickly take over recovery efforts on the island to prevent a Hurricane "Katrina-style" disaster. "This has the potential of being a serious humanitarian crisis in a U.S. territory impacting United States citizens," Rubio told Politico's Marc Caputo on Tuesday after returning from a trip to inspect the dire situation in San Juan.

-- The number of people of Puerto Rican origin living in Florida already surpassed 1 million in 2015, which is more than double what it was in 2000. Cuban Americans now represent less than one-third of Florida's eligible Hispanic voters.

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A deep recession on the island, combined with a crime wave, caused an exodus to Florida. Puerto Rico's population declined by 7 percent from 2010 to 2015, or roughly 300,000 people. The island's government, saddled with \$73 billion in debt, declared bankruptcy in May. Maria may supercharge these long-term trends and prompt many who had been trying to hold on to finally give up and flee.

They have primarily settled in the Orlando metropolitan area, which is part of the pivotal Interstate 4 corridor. "Because so many Puerto Ricans have already migrated here, it is easier now," said Schale, who is based in Tallahassee. "They have homes to go to and support networks in place, which also makes it easier to stay."

-- Frustration stemming from Trump's initially lackadaisical response to Hurricane Maria might make these new voters even more antagonistic to the GOP. The president has resisted opening up the port of San Juan to foreign ships, for example, and he hasn't appeared as worried about the damage as he was when he went to Texas for Hurricane Harvey and Florida for Hurricane Irene.

Trump has been pilloried in the Spanish-language press for launching a culture war against the NFL amid the suffering in Puerto Rico. He tweeted more than a dozen times over the weekend about the national anthem, but he was silent and seemed unsympathetic about the damage from the hurricane.

On Monday night, pop star Marc Anthony tweeted angrily at the president: "Mr. President shut the [expletive] up about NFL. Do

something about our people in need in #PuertoRico. We are American citizens too." The post quickly got more than 89,000 retweets and 221,000 likes. Other Latino celebrities like Ricky Martin, Pitbull and Jennifer Lopez also tried to call more public attention to the misery on the ground.

"On Monday when we realized that the president had spent the weekend fighting with football players and their mothers, we realized, 'Wait a minute. This guy hasn't said anything about us,'" said Luis A. Miranda, a Democratic consultant in New York who is of Puerto Rican descent. "What crystalized it was Marc Anthony's tweet. ... Trump's tweets are red meat for the third of the country - his base - that is the only thing that he has left. A tweet about Puerto Rico is not good red meat for his base, so he'd rather fight about the American flag and what African American athletes do to raise consciousness."

Miranda is a board member of the Latino Victory Project, which helps identify and assist Latino candidates running for office. (He's also the father of Lin-Manuel Miranda, the creator of "Hamilton.") He said it is crucial for Democrats to capitalize on the new wave of immigrants. "We have to register people and we need to give them good reasons to vote," Miranda said. "We cannot just go to them three months before the election and say, 'Vote Democratic,' or 'Vote for this candidate.' ... Something that energizes people a bit is when there are good Latino candidates."

-- In the face of growing criticism and devastating visuals on cable news, the administration is finally ratcheting up its response. "In the first six days after the hurricane made landfall ... the Navy had deployed just two ships, citing concerns that Puerto Rico's ports were too damaged to accommodate numerous large vessels. But harrowing reports of isolated U.S. citizens struggling in the heat without electricity and running low on food and water have now spurred the Pentagon to throw resources into the relief effort," The Washington Post's Arelis R. Hernández, Dan Lamothe, Ed O'Keefe and Joel Achenbach report on the front page of today's paper. "The more robust approach includes the deployment of the USNS Comfort, a hospital ship that has responded to other natural disasters. The Pentagon also has assigned an Army general as point person for the humanitarian crisis: Brig. Gen. Richard C. Kim ...

- "Puerto Rican officials said that 10 military vessels are en route to the island and that half should arrive within 48 hours. A ship arrived Tuesday with 262,000 barrels of fuel for distribution to gas stations across the island.
- "The Pentagon's effort to date remains smaller than relief operations marshaled after other major natural disasters, including Katrina in 2005 and the 2013 typhoon that devastated the Philippines. In those cases, the military established a joint task force led by a three-star general."

-- Leading Florida Republicans have been taking this crisis much more seriously than the White House since the beginning. They clearly recognize the political risk of antagonizing a political bloc this big in their own backyard.

Gov. Rick Scott (R-Fla.), who may challenge Democratic Sen. Bill Nelson next year, is flying to Puerto Rico today to help coordinate recovery efforts on the island. "On Tuesday Scott placed the National Guard on standby to help Puerto Rico," the Orlando Sentinel reports. "He visited Kissimmee on Wednesday to meet with volunteers helping Maria recovery efforts."

Former governor Jeb Bush has been posting stories about the devastation on social media. "Time to take it up several notches," he tweeted yesterday, linking to a story about people being unable to get medical care on the island. On Monday, Bush retweeted this post from a former governor of Puerto Rico:

Republicans also see opportunities to make inroads with Puerto Ricans. They tend to identify as socially conservative, and while they vote for Democrats they don't strongly identify with the party.

The LIBRE Initiative, which is part of the Koch network, has spent millions trying to engage with the Puerto Rican community across Florida over the past few years. The effort tries to give Latinos tools for upward mobility, such as offering English classes in Orlando, Kissimmee and Miami. The group is working to help new arrivals from Puerto Rico with training for job interviews, etc.

-- The types of Puerto Ricans coming in this new wave are likely to look slightly different from the ones who came before. The average



immigrant who has come in recent years tended to be younger: searching for jobs and opportunities. "You're going to see a lot of frail people or elderly people with health needs who will be overrepresented in this flow," said Edwin Meléndez, the director of the Center for Puerto Rican Studies at Hunter College in New York. "The health infrastructure has crumbled. ... It will continue to be younger people searching for employment, but across the board it will also be more people who are dependent on government to survive."

Meléndez expects a lot of retirees to come to Florida who have heretofore been reluctant to leave their home towns. "People can't talk to their families right now, but the minute people can get through to their families, they're going to start buying them airplane tickets to get out of there," he said. "It's chain migration. ... Florida is kind to the elderly. People have the same Social Security card, whether they're here or in Puerto Rico."

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National Popular Vote, 990 Villa Street, Mountain View, CA 94041

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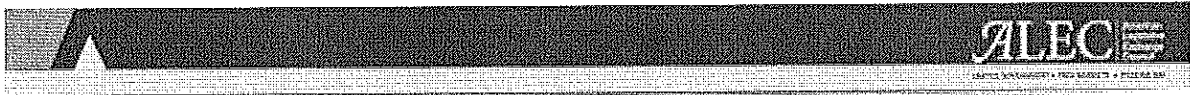
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ALEC  
CEO


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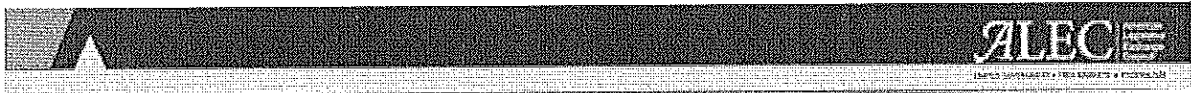
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CEO

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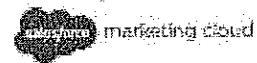
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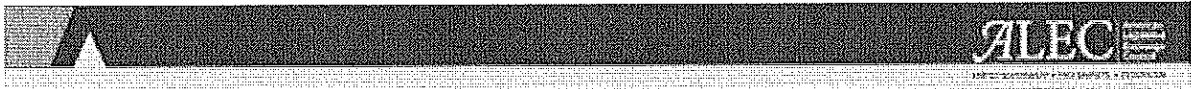


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**Subject:** ALEC CEO Update: Tax Reform and Hurricanes

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\*NOTE: The below is an amended version of the CEO update. A previous version contained dead links.\*

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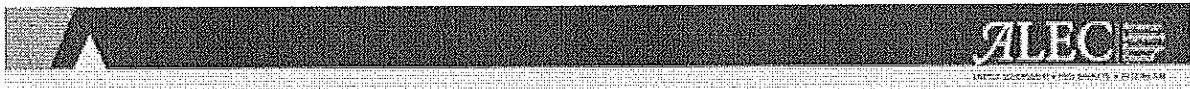
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**Subject:** Important Deadlines for Task Force Members

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Dear Representative Schuring,

I trust all of you are doing well. I am starting to plan for the 2017 States and Nation Policy Summit this December 6-8 in Nashville, Tennessee. This is also the time, if you want to hear a particular topic or from a particular speaker, to let me know what is piquing your interest right now.

*Here are some important dates to keep in mind:*

- **October 23, 45-Day Deadline** – if you want to propose model policy, this is the deadline for you to submit it to me. If you have any questions, please do not hesitate to reach out to me via email or phone.
- **November 2, 35-Day Deadline** – the day ALEC sends information to task force members, including submitted model policies, model policies subject to sunset review, and draft task force agendas.
- **November 9, Early Bird Registration closes** – but don't wait until the last minute. [Register](#) now and be sure to reserve your hotel room.

After a brief summer hiatus, the Communications and Technology Task Force newsletter is back. Here at ALEC, I have had a very busy summer. In addition to the Annual Meeting this past July in Denver, the Task Force drafted and filed comments and reply comments with the Federal Communications Commission (FCC) regarding Chairman Pai's proposal to Restore Internet Freedom.

The Task Force's Public Sector Chair, Rep. Garry Smith (SC) also filed comments. Rep. Smith's comments focused on whether anyone filed complaints with the South Carolina Attorney General's office or the Department of Consumer Affairs regarding inappropriate conduct by an Internet Service Provider (ISP). The short answer is "no."

To vote on these model policies and engage in the important policy discussions, register for the ALEC States and Nation Policy Summit at <https://www.alec.org/meeting/2017-states-nation-policy-summit-nashville-tn/>.

[Click Here to Register](#)

Regards,

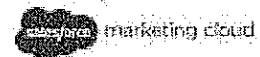
Jonathon Hauenschild  
Director, Task Force on Communications & Technology



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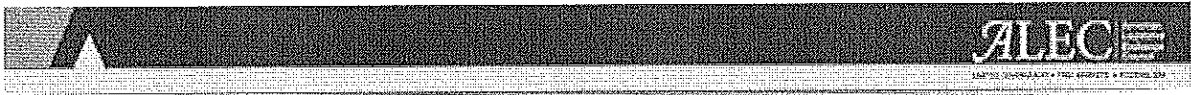
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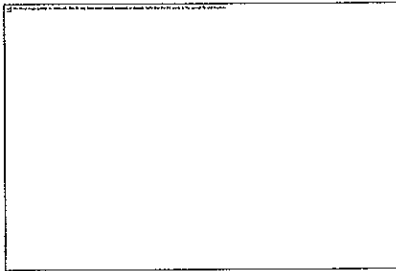


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## Eliminate State and Local Tax Deductions



The ALEC Center for State and Fiscal Reform has been leading the charge to eliminate state and local tax deductions as part of a comprehensive tax reform package. Doing away with this deduction will finance more than a 10-point cut in the corporate rate and spur robust growth... (more)

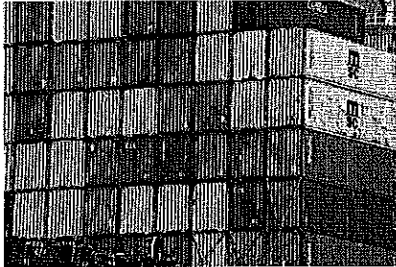
If you are a state legislator please consider signing our letter in support of this elimination.

[Sign the Letter](#)

[Expert Opinion](#)

## Tariffs and Protectionism Are Not The Way to Make America Great Again

Karla Jones, Federalism and International Relations Task Force Director | The Hill



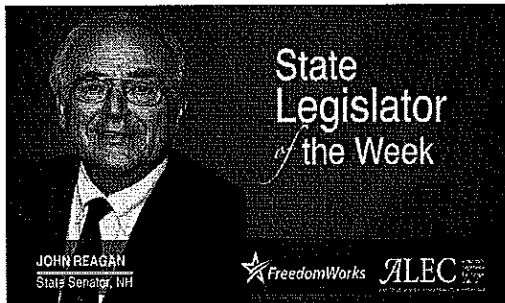
Last month the U.S. International Trade Commission ruled in favor of a petition filed earlier this year under Section 201 of the Trade Act by solar panel manufacturers Suniva and SolarWorld. The filing alleged that the two bankrupt companies experienced serious injury due to overseas competition.

[Read the Full Article](#)

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## Legislator of the Week

### Live Free or Die



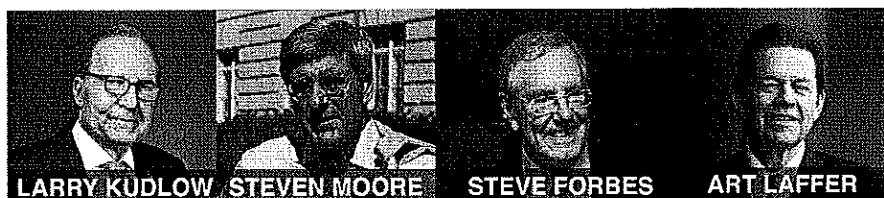
This week, ALEC and FreedomWorks introduce New Hampshire State Senator John Reagan from the 17th district. In his 11th year as a state legislator, Reagan serves in the Granite State's Senate as the Chair on Education, Vice-Chair on Finance, and Vice-Chair on Executive Departments and Administration.

[Read More About Sen. Reagan](#)

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## States and Nation Policy Summit '17

### Early Bird Registration Ends November 9

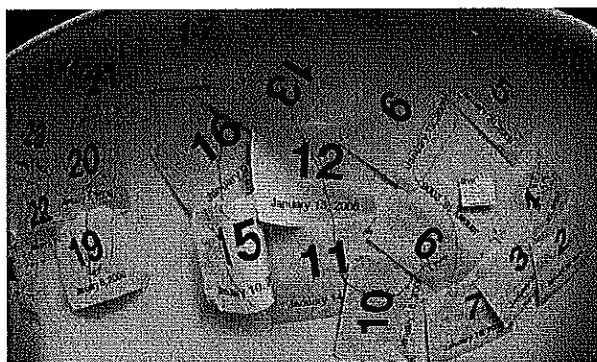


Early Bird registration for SNPS ends November 9th. You do not want to miss out on our exciting line up of speakers including Larry Kudlow, Steven Moore, Steve Forbes and Art Laffer.

Hotel rooms are going quickly if you want to extend your stay in the "Music City."

[Register Here](#)

## Important SNPS Deadlines



### Policy Submission Deadlines

- October 23, 2017: **45-Day Policy Submission Deadline.** If you would like to introduce new model policy, please email your Taskforce Director the draft language by October 23.

- November 2, 2017: **35-Day Notice Published.** This will contain a draft of the Task Force Meeting Agendas and model



### Now Accepting Applications for ALEC Legislative Staff Fellowship

The ALEC Legislative Staff Fellowship provides participants the tools necessary to be successful in their careers, learn about free market principles and build lasting relationships with peers from around the country.

#### Key Features Include:

- Professional Development and Training
- Peer-to-Peer and Vertical Networking

policies scheduled for consideration and review at the Task Force Meeting.

- Policy Discussion, Dissection and Analysis

To learn more about the program, please contact Lacey White, ALEC Policy Manager, at [lwhite@alec.org](mailto:lwhite@alec.org)

**Applications are due October 9th.**

**Apply for Fellowship**



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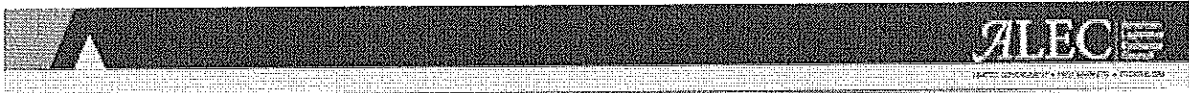


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**Center to Protect Free Speech - October 10, 2017**



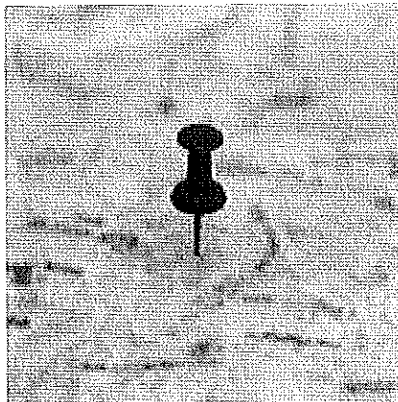
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## Have a Free Speech Briefing in Your State

Contact Shelby Emmett for more information: [Semmett@alec.org](mailto:Semmett@alec.org)



The Center to Protect Free Speech is currently holding a series of free speech issue briefings for state legislators at state capitols across the United States. These briefings cover the issues of campus speech, donor privacy and commercial speech. The Center to Protect Free Speech has already held briefings in South Carolina, Michigan and Utah.

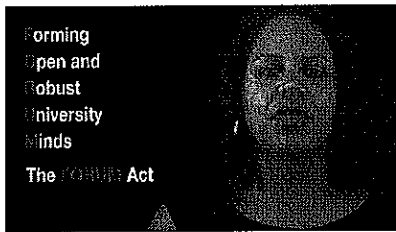
**Schedule Your Free Speech Briefing**

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**Campus Speech**

on the following topics: campus speech, donor privacy and commercial speech

**Overview of FORUM Act Video**



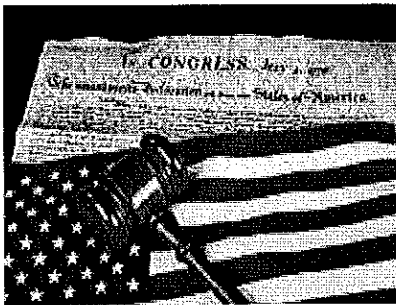
ALEC Center to Protect Free Speech Director Shelby Emmett explains the unique aspects of the [Forming Open and Robust University Minds \(FORUM\) Act](#) and why this model policy is so important today.

[Watch Video](#)

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## State Laws on Free Speech - How Does Your State Measure Up?

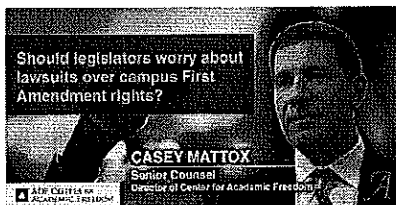
Casey Mattox | Alliance Defending Freedom (ADF)



Alliance Defending Freedom (ADF) has released a great [new guide](#) on all 50 states that details where there are current state laws protecting the rights of free speech and association on public university campuses. Also check out [these maps](#) to see which states provide free speech protections at public universities.

---

## Casey Mattox on Why Legislators Need to Address Campus Speech



In a Q&A, First Amendment attorney Casey Mattox of the [Alliance Defending Freedom's Center for Academic Freedom](#) outlines why state legislators should be concerned about campus free speech and the potential lawsuits from students who feel that their rights have been violated.

[Watch Video](#)

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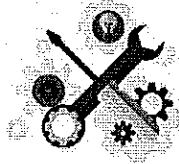
[Donor Privacy](#)

[Donor Disclosure Legislative Toolkit](#)

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## Donor Disclosure Legislative Toolkit

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This toolkit, created by the ALEC Civil Justice Task Force and the ALEC Center to Protect Free Speech, prepares and equips state legislators and their staff to handle the issue of donor disclosure when they encounter it in the legislature.

[View Toolkit](#)

---

## Beneficial Ownership Disclosure: A Huge Donor Disclosure Threat

Shelby Emmett | Director, Center for Protect Free Speech



Legislation like the TITLE Act and Corporate Transparency Act would materially facilitate the kind of targeting and intimidation tactics Senator Kamala Harris used when she was Attorney General of California. Nothing would prevent another overzealous state attorney general from seeking beneficial owner information to attack donors to public education campaigns, voter outreach efforts, or communications urging support or opposition to state ballot initiatives like those who supported efforts to combat Proposition 8 in California.

[Read Full Article](#)

---

## Approaching Free Speech Issues

### Protests: Enforce the Laws on the Books Before Writing New Ones

Daniel Turner | Research Analyst, Center to Protect Free Speech



Every time there is a crisis, the pressure is on legislators to do something about it. Recently, the crisis has been protests. In the wake of violent protests, the burning question is: what can be done to avoid similar incidents in the future?

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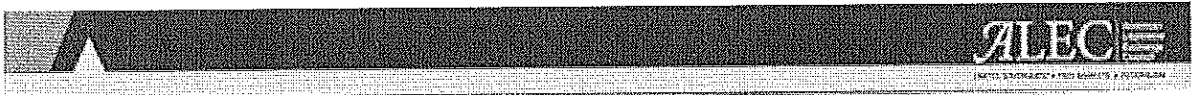
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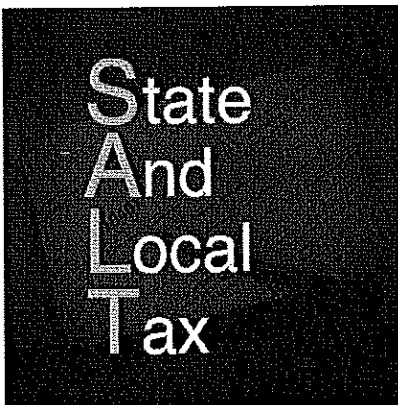


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## Everything You Want to Know About SALT (But Were Afraid to Ask)



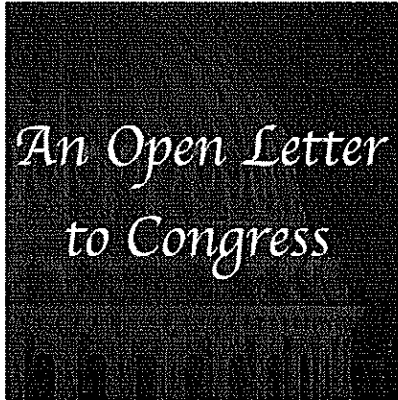
The ALEC Center for State and Fiscal Reform will be holding a conference call on **Wednesday, October 18** to educate legislators and members on the hotly debated SALT (State and Local Tax) deduction, and explain our position on this complicated area of the tax code.

Our tax team has been leading the charge to eliminate state and local tax deductions as part of a comprehensive tax reform package. Moderating the call will be our chief economist, Jonathan Williams.

[Register for the Call](#)

[Sign the SALT Letter](#)

## Congress Needs to Hear From You



Join more than 100 state and local officials on the ALEC Letter to Congress that supports eliminating the State and Local Tax (SALT) deduction. Your voice is crucial, because you share constituents with your Congressional delegations. **Help give Congress the courage to eliminate the SALT deduction, free fiscally responsible states from subsidizing high-tax states, and encourage much needed belt-tightening in bloated state budgets.**

Add your voice to the call for SALT deduction repeal by clicking below.

[Sign the Letter](#)

---

## Member Focus

### MO Legislator Calls on ALEC to Help End Taxpayer-Funded Stadiums

Erica York | American Legislative Exchange Council



Rep. Nate Walker calls on ALEC to help end taxpayer-funded stadiums nationwide. "We have invested a lot of money in the NFL and we are not getting a good return on our investment."

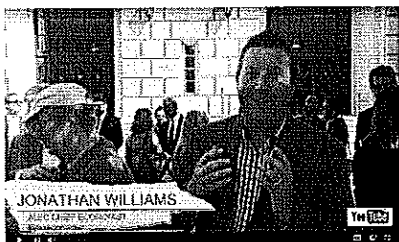
[Read the Full Article](#)

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## ALEC Staff Interview

### Jonathan Williams Joins the Tim Jones Radio Show

The Tim Jones Show | *FM NewsTalk 97.1*



Chief Economist and Vice President of the ALEC Center for State Fiscal Reform Jonathan Williams joined the *Tim Jones Radio Show* in St. Louis, Missouri this past weekend to discuss tax policy and reform.

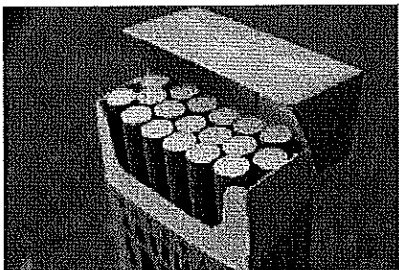
[Watch Interview](#)

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## Expert Insight

### Tobacco Taxes Aren't the Answer For South Dakota

Erica York | *The Argus Leader*



South Dakota taxpayers may be voting on a hefty tobacco tax increase in November 2018 if the ballot measure receives enough signatures by the state's Nov. 6, 2017, deadline. However, state cigarette taxes like this one can be economically harmful and do not serve as a stable source of funding.

[Read Article](#)

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## Legislator of the Week

### Keeping Ohio Competitive



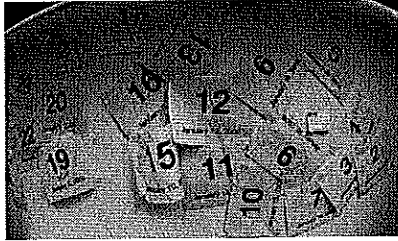
This week, ALEC and FreedomWorks introduce Ohio State Representative **Rob McColley** from the Buckeye state's 81st district. McColley represents Putnam, Henry and Williams counties as well as part of Fulton county. In his second term in the Ohio House, McColley serves as the Assistant Majority Whip.

[Read Article](#)

---

## Important SNPS Deadlines

## Upcoming Policy Submission Deadlines



- October 23, 2017: 45-Day Policy Submission Deadline. If you would like to introduce new model policy, please email your Taskforce Director the draft language by October 23.

- November 2, 2017: 35-Day Notice Published. This will contain a draft of the Task Force Meeting Agendas and model policies scheduled for consideration and review at the Task Force Meeting.

---

## States and Nation Policy Summit '17

### Early Bird Registration Ends November 9



Early Bird registration for SNPS ends November 9th. You do not want to miss out on our exciting line-up of speakers including Larry Kudlow, Steve Moore, Steve Forbes and Art Laffer.

Hotel rooms are going quickly if you want to extend your stay in the "Music City."

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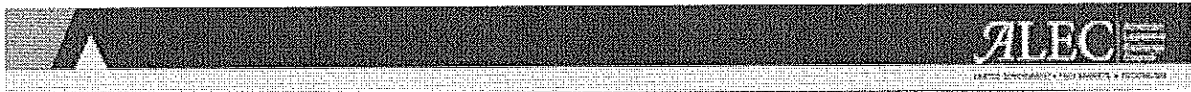
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## Events & Education - October 17, 2017

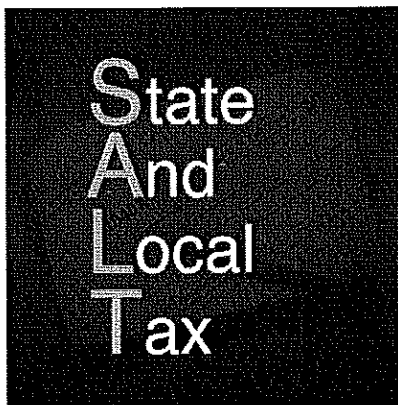


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### Tomorrow: The Center for State Fiscal Reform Constituent Call



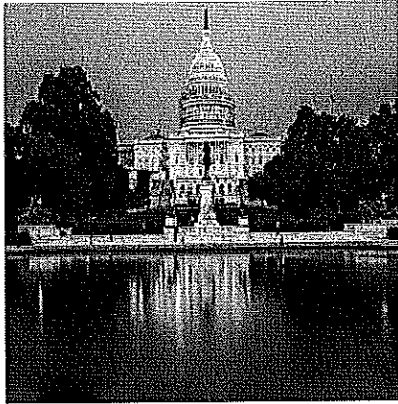
The ALEC Center for State and Fiscal Reform will hold a conference call for members **tomorrow, October 18 at 3:30 PM ET** to educate legislators and members on the hotly debated SALT (State and Local Tax) deduction, and explain the ALEC position on this complicated area of the tax code.

The tax team has been working with leaders on Capitol Hill and the Trump administration to bring research and analysis to the federal tax reform debate. Leading the call is ALEC Chief Economist and Vice President of the Center for State Fiscal Reform Jonathan Williams. He will be joined by Center Director Joel Griffith and Center Chairman Representative Ken Weyler of New Hampshire.

[Register for the Call](#)

---

### Don't Miss the ALEC-Federal Coalition Partners Conference Call



Join the ALEC-Federal Coalition Partners Call - **Friday, October 20 at 3:00 PM ET**. You don't want to miss this opportunity to hear directly from the U.S. House, Senate and White House coalition teams as they bring you timely updates from Capitol Hill.

[Register for the Call](#)

---

### States and Nation Policy Summit '17

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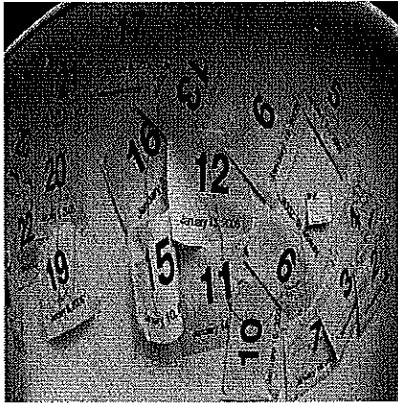
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[Register Here](#)

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## Important SNPS Deadlines

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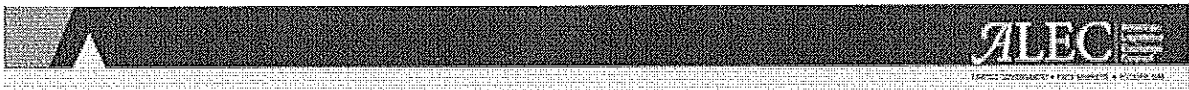
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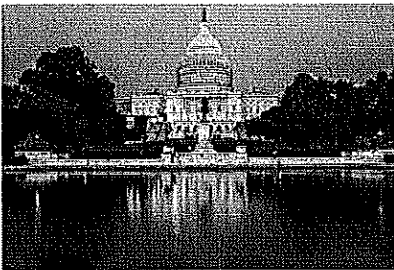


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### Tomorrow: ALEC - Federal Coalition Partners Conference Call



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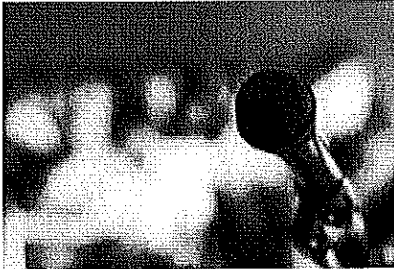
**The call will take place Friday, October 20 at 3 p.m. ET.**

[Register for the Call](#)

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**Tax Reform Update**

## ALEC and SALT In the News



On Monday, Vice President of the Center for State Fiscal Reform and ALEC Chief Economist Jonathan Williams, Director for the Center for State Fiscal Reform Joel Griffith and Senator Jim Buck of Indiana briefed the press on the importance of eliminating the state and local tax deduction from the tax code. Below is some of the media coverage we received.

Washington Examiner: [State, Local Conservative Legislators Tell GOP to Kill State Tax Deduction](#)

Washington Free Beacon: [Economist Says Eliminating State and Local Tax Deduction Helps Lower Taxes by \\$1 Trillion](#)

Townhall: [President Trump Looks to Eliminate the SALT Deduction](#)

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## State and Local Tax Deduction

### Reagan's Argument for Eliminating the State and Local Tax Deduction

Jim Geraghty | National Review



"The Reagan argument is compelling, but it basically contends that those who find their cumulative level of federal, state, and local taxation unbearable should move to different states. That may work as economic theory, but many Americans won't find that easy to do for a variety of reasons – jobs, families, roots, etc. And if these frustrated taxpayers did move from these blue states to red states, this policy change would basically drain the blue states of the voters most concerned about taxes."

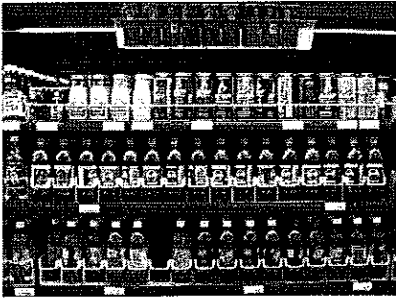
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## Expert Opinion

### Support for Soda Tax Fizzles in Cook County

Christine Smith | Center for State Fiscal Reform



Tax-and-spend proponents have a serious problem when even the greater Chicagoland area, long known as a city that soaks taxpayers, heeds citizen uproar and moves to repeal a tax. Thankfully, most individuals on the Board of Commissioners are backtracking after increasingly apparent constituent disapproval, voting 15-2 to repeal the harmful tax. A nearly 87 percent disapproval rate is impossible to argue with. ALEC applauds this bipartisan decision and is hopeful other municipalities will follow suit.

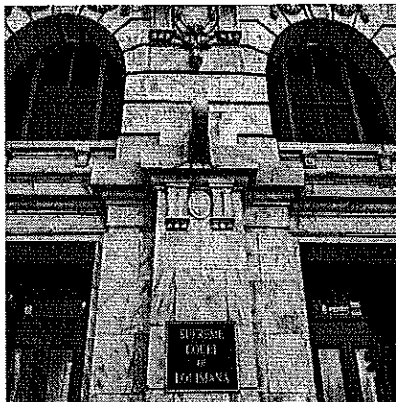
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## Expert Opinion

### Louisiana Supreme Court Finds Sentence of Life Without Parole For Juvenile Unconstitutional

Ronald J. Lampard | Director, Criminal Justice Reform Task Force



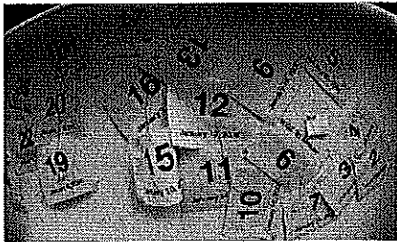
By the age of 17, Thayer Green had two felony convictions as well as convictions for home invasion, simple robbery, and second-degree battery. All are defined as crimes of violence under Louisiana law. Thayer Green challenged his life sentence, arguing that it was unconstitutional.

[Read More](#)

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## 45 Day Policy Deadline is Approaching

### **Policy Submission Deadlines**



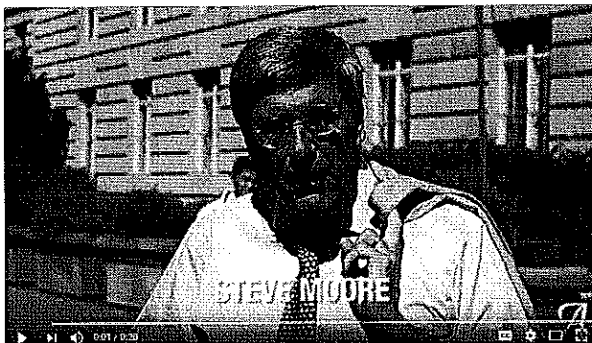
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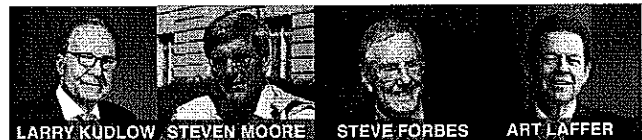
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## States and Nation Policy Summit '17

### **Economist Steve Moore Invites You to Nashville**



[View Video](#)



Steve Moore is going to be at our States and Nation Policy Summit. Will you?

Early bird registration ends November 9.  
Sign up now to save!

[Register for SNPS](#)

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## School Choice for Every Buckeye Student





This week, ALEC and FreedomWorks introduce Ohio State Senator Matt Huffman. Huffman represents the Buckeye state's 12th district. He is a vocal advocate of education reform, saying ""I am extremely proud of providing true school choice for every student in Ohio, including smooth transferability of funds and a robust set of options regardless of geography and family situation."

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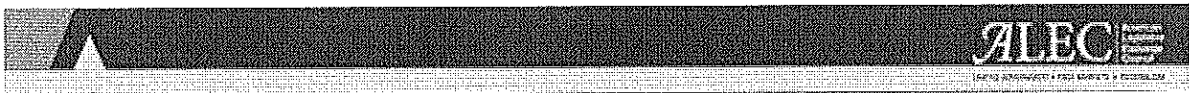
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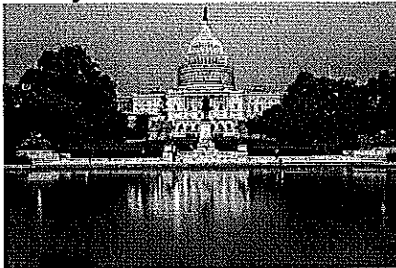


**Center for State Fiscal Reform Update -  
October 24, 2017**

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### Friday: ALEC - Federal Coalition Partners Conference Call



The ALEC - Federal Coalition Partners are hosting a call with representatives from the U.S. House, Senate and White House coalition teams on Friday. They will bring you an up to date report on what is going on around Capitol Hill and the White House.

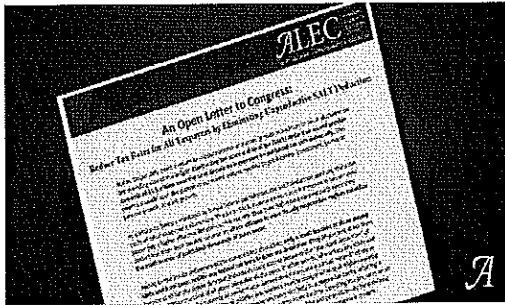
The call will take place Friday, October 27 at 3 p.m. ET.

[Register for Call](#)

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### SALT Deduction

**State and Local Legislators Urge Congress to Eliminate State and Local Tax Deduction**



ALEC released an open letter to Congress that is signed by more than 100 state and local legislators calling for the elimination of the state and local tax (SALT) deduction.

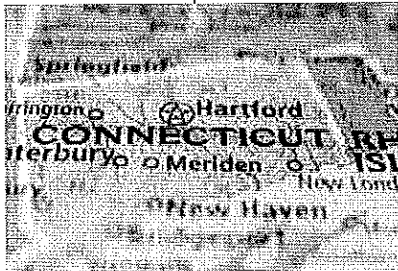
The Center for State Fiscal Reform has been leading the charge to eliminate this deduction as a part of a comprehensive tax reform package.

[Read the Letter in Full](#)

## Income Taxes

### Lessons from Connecticut's Income Tax: A Cautionary Tale

Thurston Powers | Center for State Fiscal Reform



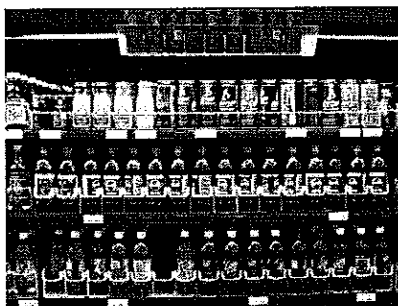
In 1991, Connecticut implemented a flat income tax of 4.5 percent. The income tax promised to stabilize tax revenues by replacing the volatile state capital gains tax and was to accompany a meaningful spending cap. Over the past 26 years, the income tax rate has been raised and brackets have been added multiple times.

[Read More](#)

## Chicago Soda Tax

### Support for Soda Tax Fizzles in Cook County

Christine Smith | Center for State Fiscal Reform



Tax-and-spend proponents have a serious problem when even the greater Chicagoland area, long known as a city that soaks taxpayers, heeds citizen uproar and moves to repeal a tax. Thankfully, most individuals on the Board of Commissioners are backtracking after increasingly apparent constituent disapproval.

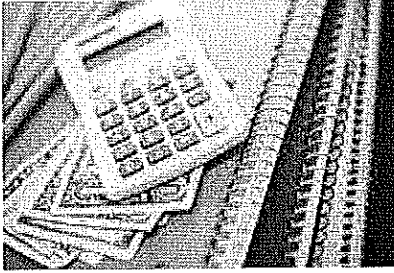
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## Education Spending

### Education Spending and Outcomes

Thurston Powers | Center for State Fiscal Reform



The combination of quality teachers instructing engaged students is one way to yield desirable academic outcomes. But simply providing additional school funding does not magically create better teachers or more serious students.

[Read More](#)

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## Taxpayer Funded Sports

### Legislator Calls on ALEC to Help End Taxpayer-Funded Stadiums

Erica York | Center for State Fiscal Reform



ALEC member and State Rep. Nate Walker is calling for closer scrutiny of using taxpayer-funded subsidies for sports facilities in his state of Missouri. In a statement—A, Rep. Walker proposed working with ALEC to form a multi-state team of legislators to strengthen this movement. Expressing similar sentiment, President Trump tweeted that laws giving the NFL massive federal level tax carve outs must be changed.

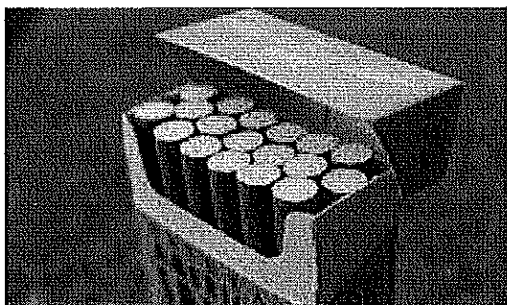
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## Tabacco Taxes and Revenue

### My Voice: Tobacco Taxes Aren't The Answer for SD

Erica York | Center for State Fiscal Reform



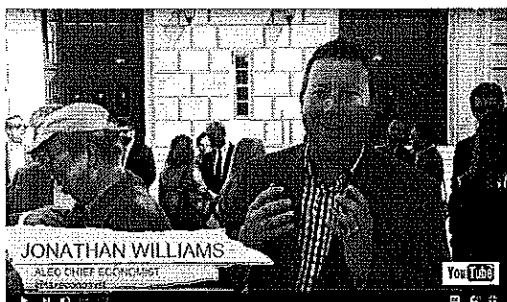
South Dakota taxpayers may be voting on a hefty tobacco tax increase in November 2018, if the ballot measure receives enough signatures by the state's Nov. 6, 2017, deadline. The large tax increase would provide support S.D.'s four technical institutes.

[Read More](#)

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## Tax Cuts Now

### Watch Jonathan Williams Explain Why America Needs Tax Cuts Now



The ALEC Tax team joined How Money Walks, Job Creators Network and small business owners from across the country in front of the Internal Revenue Service to rally for tax cuts and a fair, simple tax code.

[Watch Video](#)



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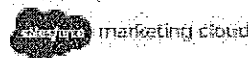
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Friends,

I hope all is well with you. On behalf of the ALEC Center for State Fiscal Reform, I cordially invite you to participate in an interactive discussion at our upcoming 2017 Tax and Fiscal Policy Academy at the Reagan Ranch.

The summit will be held in **Santa Barbara, California on November 15-17.**

This invitation-only training opportunity for legislative leaders will provide an interactive dialogue and will equip you with free market resources to responsibly balance budgets, reform your tax code, and tackle the growing problem of unfunded pensions for government workers. We will focus the Academy to give you practical and proven tools to make fiscally responsible reforms and make your state more economically competitive. During this forum you will participate with policy experts, and have the opportunity to present your experiences with other thought leaders.

One of my favorite parts of the Academy is our private tour of President Ronald Reagan's beloved Rancho del Cielo. It is a truly unforgettable experience. For our dinner after the ranch tour, we have confirmed former Virginia Governor and U.S. Senator George Allen as our keynote speaker.

For invited legislative participants like you, all session meals and two nights of housing will be provided, if allowable. You will also be reimbursed up to \$500, or the allowable amount in your state, for qualified transportation expenses. If you would like to register or have questions, please contact Christine Smith at [csmith@alec.org](mailto:csmith@alec.org), 202-309-2986. Space is limited for this event, so please reach out as soon as you can.

All the best,

Jonathan Williams  
ALEC Chief Economist  
Vice President  
Center for State Fiscal Reform  
[jwilliams@alec.org](mailto:jwilliams@alec.org)  
Twitter: [@taxeconomist](https://twitter.com/taxeconomist)

Direct: 571-482-5066

Upcoming Meetings:

2017 States and Nation Policy Summit – December 6-8, 2017 – Nashville, Tennessee

2018 Spring Task Force Summit – April 27, 2018 – Grand Rapids, Michigan

2018 Annual Meeting – August 8-10, 2018 – New Orleans, Louisiana

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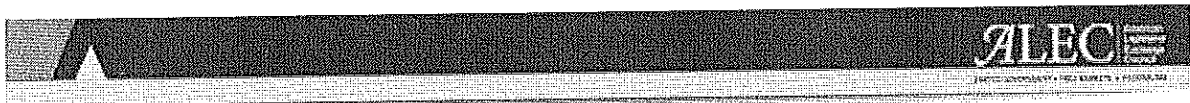
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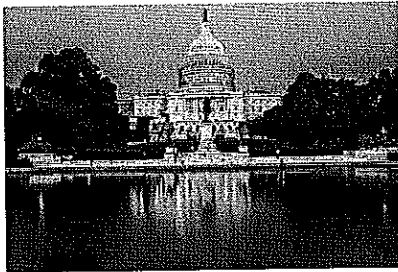


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**The call will take place Friday, October 27 at 3 p.m. ET.**

**Register for the Call**

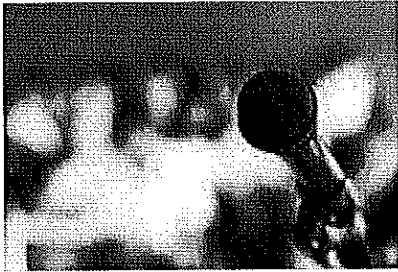
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### ALEC In The States

#### **Shelby Emmett Advises CA Senate on Protecting Campus Free Speech**

Shelby Emmett | Center to Protect Free Speech





On October 18, California lawmakers heard from Shelby Emmett, Director of the ALEC Center to Protect Free Speech. She spoke about the issue of free speech on college campuses. Emmett shared, "You should never look at policy based on the 1% of knuckleheads, and instead remember that the majority of people in California are doing this the right way."

[Watch Video](#)

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## Hear From the Experts

### **Jonathan Williams and Joel Griffith Talk Tax Reform**

Center for State Fiscal Reform



Jonathan Williams, ALEC Chief Economist and Vice President of the Center for State Fiscal Reform and Joel Griffith, Director of the Center for State Fiscal Reform had a discussion about the week in tax reform.

[Watch Video](#)

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## Legislator Voices

### **State Legislators Support Eliminating the SALT Deduction**



Hear from state legislators talking about tax reform, and why they support the repeal of the state and local tax (SALT) deduction. Legislators from both high- and low-tax states explain why this is an incredibly important issue.

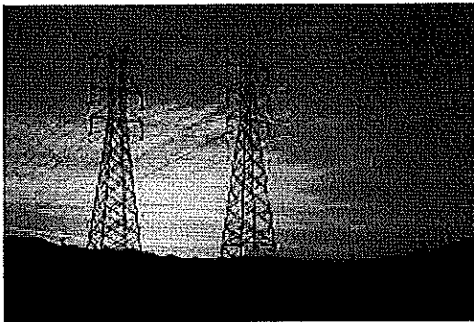
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## Expert Opinion

### Electricity Reliability In A “Smart” America

Garland McCoy | President, Technology Education Institute



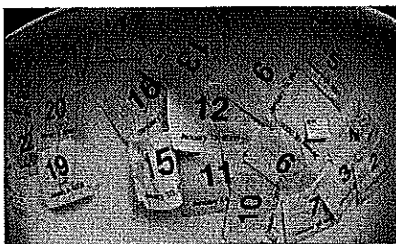
For more than 130 years, all America needed to be “operational” was electricity. That is no longer the case. Today many of these functions — as well as the “smart” in our new Smart Grid — resides in the “cloud” and relies on connectivity with Internet infrastructure facilities. Today, electricity alone will not provide “operational integrity”.

Read More

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## Important SNPS Update

### 35 Day Mailer Coming Soon



On **November 2, 2017** ALEC will release the 35-day mailer. This will contain a draft of the Task Force meeting agendas and model policies scheduled for consideration and review at the Task Force meeting. Watch your inbox for this important update. Information will also be available on your task force page at [ALEC.org](http://ALEC.org).

---

## States and Nation Policy Summit '17

### Early Bird Registration Ending Soon!



Early bird registration ends November 4. We have an amazing line up of speakers that you do not want to miss.

[Register for SNPS](#)

### Bringing Pension Reform to Michigan



This week, ALEC and FreedomWorks introduce Michigan State Senator Phil Pavlov from the 25th district. Pavlov represents Michigan's Thumb, Huron County, St Clair County, Sanilac County and parts of Macomb County. A previous member of Michigan's House of Representatives, Pavlov is serving his second term in the Senate.

[Read More](#)



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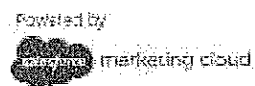
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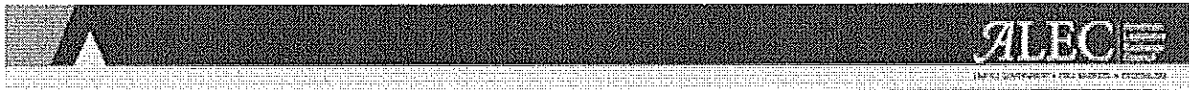
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October 31, 2017



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## See You in Nashville in December

### States & Nation Policy Summit

DEC. 6-8, 2017 | NASHVILLE, TN

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Federalism is one of the three ALEC guiding principles and will occupy center stage at the States and Nation Policy Summit in Nashville, Tennessee, December 6-8, 2017.

Twenty-seven states have submitted applications and only seven more are needed to compel Congress to call a Convention of the States. At the Meeting of the Task Force on Federalism and International Relations, leaders at the Phoenix Convention in September will offer their perspective of the most recent Convention of States and two model policies to address the 17th Amendment will be considered.

Early Bird Registration ends Thursday, November 9. We look forward to seeing you in Nashville.

Register for SNPS

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## Expert Opinion

### We Can End the Era of Megafires

Sen. Jennifer Fielder | State Senator of Montana



Montana Senator Jennifer Fielder, CEO of the American Lands Council, offers one solution to the worsening wildfire seasons in America's West. Senator Fielder observes that over 10,000 people each year are hospitalized due to wildfire smoke related heart and lung problems, and as many as 2,500 are dying prematurely. Billions of dollars of private and public property are being destroyed in Western wildfires annually. But still, federal employees and so-called environmentalists are attempting to "teach" us to simply accept this era of megafires -- an era that they themselves created.

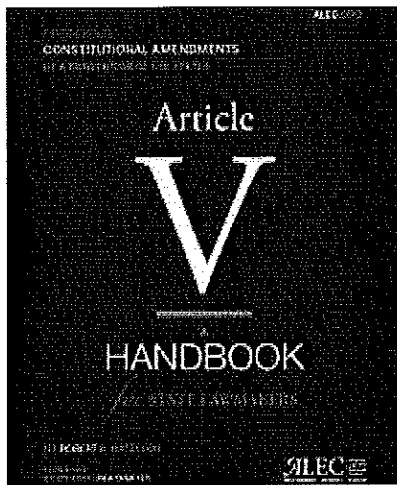
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Article V

Article V in the News



ALEC Board of Scholars Member Professor Rob Natelson authored two articles to be highlighted this month. One is an analysis of John Dickinson's *1767 Letters from a Farmer in Pennsylvania* featured in the *Washington Post*. The other, a Heartland Policy Brief entitled "Why the Constitution's 'Convention for Proposing Amendments' is a Convention of the States," should reassure those who believe the time has come for the states to act given current dysfunction at the federal level but fear the "runaway convention" scenario.

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## Expert Opinion

### Autocracy is on the Rise



Liberal democracy is in retreat, even in countries that were once seen as democratic success stories. According to Freedom House this century has witnessed a rise in authoritarian rule and a reduction of freedom in every indicator it tracks. From free expression to pluralism, from individual rights to rule of law, democracy is fading worldwide. Attacks on the media are increasing, and authoritarian rule is rapidly supplanting rule of law.

This month we highlight Cambodia where the current president is jailing the opposition and Poland which was a pioneering democratic success story in Eastern Europe and is now facing EU censure for tampering with the judiciary and media crackdowns.

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Newsletter - Edition 58      November 2017

*Providing Article V / Federalism News and Scholarly Resources Since 2013*

## **This month...**

- **One Man's Efforts Led to the 27th Amendment**
- **Phoenix Correspondence Commission Is Being Organized**
- **The Federal Debt Has Increased for 60 Straight Years**
- **US House Clerk's Article V Listings Still Incomplete**
- **ALEC 'States & Nation Policy Summit' Set for Dec. 6-8**
- **CoSP Reports it Now Has 3 Million Supporters**
- **A Winning Strategy for State Legislative Candidates**
- **Will New York State Hold a Constitutional Convention?**

- **Rob Natelson Releases New Article V-related Policy Brief**
- **New Book: Fiscal Rules to Limit Federal Deficit Spending**
- **Congressional Term Limits are On Their Minds**
- **Act 2 Refined... Another Proposal for Using Article V**

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### **One Man's Efforts Led to the 27th Amendment –**

It's a story that few know. One person's grassroots perseverance can... and did... make a difference.

One Constitutional scholar refers to Gregory Watson as "the 'step-father' of the 27th Amendment". In 1982, as a 19-year-old sophomore at University of Texas-Austin, Watson wrote a paper on a proposed Constitutional amendment that James Madison had authored in 1789 along with a package of amendments which became known as the Bill of Rights. The extra amendment, prohibiting a sitting Congress from raising its own wages during its current session, had never been ratified by a sufficient number of states.

Watson's paper suggested that Madison's proposal could still be ratified since it was proposed with no time limit for ratification. His professor thought the idea was unreasonable, and gave him a C on the paper. Convinced that Madison's proposal had merit and could still be ratified, Watson launched his own personal self-financed campaign to get the nearly two dozen additional needed state legislatures to ratify the forgotten proposition.

It took until 1992 when Alabama and New Jersey raced to become the 38th ratifying state. Shortly thereafter the United States Archivist certified the amendment as having been properly ratified under terms of Article V of the Constitution, and published it in the federal register. That's how the 27th Amendment came into being... mostly through the determined work on one grassroots citizen.

Mr. Watson still lives in Texas and has offered his services to the BBA Task Force to help shepherd the BBA effort to completion. What are needed are a few more state legislators and grassroots citizen activists to demonstrate Watson-like "heroic citizenship."

### **Phoenix Correspondence Commission Is Being Organized –**

Shortly after the Phoenix BBA Planning Convention concluded, Arizona State Rep. David Stringer wrote a report for **PrescottEnews.com**. Headlined ***Witness to History***, the Stringer piece said the *"Phoenix Convention marks an historic effort by the states to use their powers under Article V of the federal Constitution to stave off the day of reckoning."*

Stringer said, *"The power of Washington DC in state/federal relations has become so dominant that it is easy to understand why many people unfamiliar with the Constitution assume the states are political subdivisions of the national government. In fact, it's the other way around. The federal government was created by the states and they retain sovereignty under our federal system."*

Pointing out how the federal government finances a large percentage of the national government with borrowed money Stringer said, *"The persistence of these circumstances has convinced many state legislators, myself included, that our national government is on a collision course with economic reality. Left unchecked, our growing national debt will destroy our economy, impoverish our people and threaten our existence as a sovereign nation."* The Stringer op-ed can be read [HERE](#).

One of the main accomplishments of the Phoenix Convention was creation of what the delegates dubbed the **Phoenix Correspondence Commission (PCC)**. While still being organized, the PCC is to consist of commissioners appointed by state legislatures to (a) create a single point of contact to act as a liaison with Congress, (b) track all applications for a convention for proposing amendments, (c) create a process to suggest a time and place to Congress for a convention for proposing amendments, and (d) to foster communication between the states on all matters relating to an Article V convention of states.

Arizona State Rep. Anthony Kern, Utah State Rep. Ken Ivory, Phoenix Convention Secretary David Guldenschuh and Phoenix Convention President (AZ Rep.) Kelly Townsend are currently working on a proposed organizational statement of purpose and other organizational documents for the new PCC. They hope to contact all the Phoenix Convention commissioners to provide an update and request feedback during November.

## **The Federal Debt Has Increased for 60 Straight Years –**

According to official numbers published by the U.S. Treasury, as of 10-23-2017 total federal US debt stood at \$20,435,639,346,821.03. That makes fiscal 2017 the 60th year in a row that the federal government has increased this nation's debt. (Source [HERE](#).)

On October 4 **CNSNews.com** Editor-in-Chief Terence P. Jeffrey wrote a piece noting that *"The last fiscal year in which the federal debt declined was fiscal 1957."* His article includes a chart which documents the dramatic climb in America's indebtedness, along with exact year-by-year figures. See Jeffrey's article [HERE](#).

Meanwhile the **Peter G. Peterson Foundation** published a chart showing that if something is not done to stop the grown of federal debt, by 2050 the largest category in the federal budget will be interest on the debt. The chart suggests that by 2026 interest expenses will surpass the budgets for Defense, and non-Defense discretionary

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spending. It projects that federal debt service costs will demand more money than Medicare, Social Security, Medicaid and money for Defense categories by 2050. See their chart [HERE](#).

The lead editorial in the October 11 **Wall Street Journal** recounted similar information, noting that during fiscal years 2016-17 the budget deficit grew by 3.5% of the national economy, during which time federal revenues grew by a mere 1%. They suggest “*deficits will explode without faster growth*”. Sadly, the editorial made no comment about the simultaneous need for restraint in federal spending.

A recent article in **The Hill** (covering the Phoenix BBA Planning Convention) underscored this reality. Under the heading ***If Washington fails to fix America's debt crisis, states will take action***, the writers reported, “*By the end of 2016, [federal] debt stood at nearly 106 percent of GDP, a level rivaled only by the years 1945 to 1947.*” That article also said, “*If Washington doesn't come up with real solutions to our federal debt, expect state-based efforts like those being discussed in Arizona to continue to gain traction.*” Read The Hill article [HERE](#).

Another **The Hill** article states, “*The deficit is at \$20 trillion. The debt-to-gross domestic product ratio is over 100 percent, a point where economies begin to fail.*” Read it [HERE](#).

## **US House Clerk's Article V Listings Still Incomplete –**

In January 2015, under the leadership of US Rep. Steve Stivers, the US House adopted an Article V-related House Rule. The Rule, renewed in 2017, created a system for the U.S. House of Representatives to track, document and count the number of incoming Article V convention petitions from state legislatures.

As of October 21, 2017 the House Clerk's web site included 159 listings going back to 1960. Only 20 of the applications submitted by state legislatures since 2000 are included

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on the site. That includes 14 of the Balanced Budget Amendment (BBA) applications, but does not include Arizona. Only 7 of the 12 Convention of States Project (CoSP) applications submitted during that time are shown.

= ATo track the applications listed by the US Clerk's office, click [HERE](#).

### **ALEC 'States & Nation Policy Summit' Set for Dec. 6-8 –**

The **American Legislative Exchange Council (ALEC)** will host its 2017 'States & Nation Policy Summit' in Nashville, TN this year. There will again be an emphasis on the need for an Article V convention of states.

One of the speakers will be former Virginia Attorney General Ken Cuccinelli who will talk about how states can address the growing national debt through the use of Article V. Cuccinelli made a similar... rousing? presentation at the September convention of states in Phoenix. Other speakers will include Larry Ludlow, Steven Moore, Steve Forbes and Art Laffer.

Andrew Rodney of **Debate 28, LLC** is in the process of producing an 86-minute documentary on how Americans are being harmed by the nation's heavy federal governmental indebtedness. Footage for that documentary, tentatively titled **"Balance of Power"**, was shot at the Phoenix BBA Planning Convention. Mr. Rodney will be showing a brief "teaser" segment of the yet-to-be-finished documentary at the December ALEC convention. He expects the finished product will be shown sometime next year on PBS television, and possibly other outlets.

For more info about the ALEC Nashville event, click [HERE](#).

A few weeks ago Karla Jones, Director of the ALEC Task Force on Federalism and International Relations, gave a presentation about Article V to the Tennessee Senate

Judiciary Committee.

Her entire presentation, entitled, ***“Creating Rules of Procedure to Govern a Convention for Proposing Amendments Pursuant to Article V of the U.S. Constitution”*** can be read [HERE](#).

### **CoSP Reports it Now Has 3 Million Supporters –**

The **Convention of States Project (CoSP)** has reported that it now has three million grassroots supporters nationwide. That count is based on the number of activists and pledge signers that the organization has racked up in its 4-year-old existence.

*“The time is now for bold action and rock-solid leadership, something missing from Congress, but found in millions of citizens rising up to restore their power by using the Constitutional solution found in Article V,”* said Mark Meckler, co-founder of the Convention of States Project.

Meanwhile **Townhall.com** and **ConservativeReview.com** reported that CoSP received what both sites headlined as **“Another Big Endorsement”**, Conservative pundit Ben Shapiro. Commenting on Shapiro’s support, Meckler said, *“I think he’s one of the smartest guys commenting on politics today ... I think he has a really unique voice because he’s so much younger than most commentators. He really speaks to Millennials.”*

Shapiro is reported to have said, *“I absolutely support the Convention of States Project, designed for fulfilling the Constitutional methodologies for protecting our rights. Article V exists so that the people have the final say, not the federal government.”*

Read the Townhall piece [HERE](#), and the ConservativeReview article [HERE](#).

= AIn recent weeks the CoSP effort has seen some progress. In Michigan the House

Committee on Government Operations passed the CoSP resolution (HJR V) and referred the measure for second reading in the House. In Nebraska, State Sen. Steve Hallor spoke at a town hall meeting in support of the CoSP resolution which he introduced (LR6) earlier this year... in an attempt to round up the 2 or 3 remaining votes needed in the upcoming session.

In mid-October, **Catholic Online** published a piece about Texas voting to adopt the CoSP resolution. The author describes Article V as *"a safety feature, a check on the potential excesses of Congress contrary to the will of the citizens of this country."* Read the entire article [HERE](#).

## **A Winning Strategy for State Legislative Candidates –**

Recently a former state legislator and Article V activist suggested a winning strategy for claiming or re-claiming a seat in any state legislature. If the candidate is willing to stand behind his/her words, when asked, *"Why are you running for the state legislature?"*... offer the following reply:

*"The greatest threat to our liberty, and our country, is the Congress of the United States. Year after year, under Republicans or Democrats, it spends a trillion dollars it doesn't have. If it isn't forced to mend its ways we'll be bankrupt. Under the Constitution, there is only one control on Congress, and that is the state legislatures. Under Article V, if they act together, state legislatures can force it to balance the budget. So that's why I'm running for the state legislature. I want the states to intervene, as they have the right to do, and get the federal government under control. If you want something done about Congress, vote for me."*

Okay, that may not be a winning strategy in every state. But candidates in every state should be cognizant of voter wishes in their district. Repeated polling has shown that in most states 70-80% of voters have openly expressed support for a BBA, and most of them



understand that such a Constitutional amend will never come from Congress.

Don't miss out on a winning strategy in your state.

## **Will New York State Hold a Constitutional Convention? –**

This month New York voters will decide if they want to hold a constitution amending convention... a convention to consider amending their own state constitution. The NY constitution, adopted in 1846, mandates that voters be asked this question: *"Shall there be a convention to revise the constitution and amend the same?"* Fourteen state constitutions have similar provisions, effective in different years.

The question is on this year's ballot is known as "Proposal 1". It is the 13th time it has been asked. In all those years NY voters have said "Yes" to that question only 4 times, and only once said "Yes" to proposed amendments that came out of the resulting conventions.

Interestingly, the League of Women Voters (which opposes an Article V convention) is among the groups supporting a "Yes" vote on the NY question. If approved, the NY convention would open the entire state constitution to potential amendment proposals... unlike an Article V convention which would be restricted to the subject(s) for which it was called.

On October 7 voters in the state of Louisiana approved three amendments to their state constitution. Over the years that state has reportedly adopted 186 amendments to its constitution. According to the Public Affairs Research Council of Louisiana (PAR), a nonpartisan think tank based in Baton Rouge, 92 of those amendments have dealt with the state budget, taxes and other financial issues.

## **Rob Natelson Releases New Article V-related Policy Brief –**

Acknowledged Article V expert and Constitutional scholar Rob Natelson has just released a new Policy Brief entitled: ***“Why the Constitution’s ‘Convention for Proposing Amendments’ Is a Convention of the States”***. Heartland Institute, where he serves as senior fellow in constitutional jurisprudence, published Natelson's latest work.

The 28-page Brief is broken into 6 parts ranging from review of a related Supreme Court decision, to a detailed history of interstate conventions, to details on amendment ratification... and includes 10 pages of documentation/references. It is a publication every state legislator should read.

Natelson's excellent Brief concludes, *“A convention for proposing amendments is a convention of the states. That conclusion is supported by history previous to the Constitution’s ratification, by numerous explicit and implicit statements from the Ratification Era, and by the constitutional design.”* Read it [HERE](#).

## **New Book: Fiscal Rules to Limit Federal Deficit Spending 5 0**

Economists John D. Merrifield (University of Texas at San Antonio) and Barry W. Poulson (professor emeritus of economics at the University of Colorado) have just released their new book ***‘Restoring America’s Fiscal Constitution’***. The book offers *“clear, timely, and on point well-chosen fiscal rules that constrain and impose discipline on democratic government budget policies...”* according to Marvin Phaup of George Washington University.

Another reviewer, Randall G. Holcombe of Florida State University, says, *“Merrifield and Poulson clearly show the fiscal challenges that lie ahead for the United States government, and drawing from experience—both good and bad— from Switzerland and other European countries, suggest a set of fiscal rules to limit deficit spending. Their ideas*

*are both sensible and politically palatable. They provide a superb blueprint for fiscal reform."*

The writers themselves (in an **Investor's Business Daily** commentary) say their book shows *"how fiscal rules could be designed to balance the [federal] budget and reduce debt to tolerable levels over a two-decade period."* Read that piece [HERE](#).

Although the book focuses mostly on economic issues relating to the suggested new fiscal rules, the final two chapters **'A Roadmap to Restore America's Fiscal Constitution', and 'Reopening the Constitutional Road to a Balanced Budget Amendment'** will be of special interest to advocates of an Article V BBA.

Published by Lexington Books, the new book can be purchased [HERE](#).

## **Congressional Term Limits are On Their Minds –**

*"Today's [US] Senate is populated with careerists: professional politicians. Such politicians can be more attuned to the interests of their donors than to those of their constituents,"* says Jon N. Hall in his **"Repairing the U.S. Senate"** article published during October by **American Thinker**.

Hall says, *"If we're ever to get term limits for Congress, the Constitution must be amended. Because the swampy careerists in Congress are never going to initiate such an amendment themselves, we'll probably need to have an Article V constitutional convention."* Both the [Convention of States Project](#) and [U.S. Term Limits](#) are working on such a proposal.

Michael Betrus is a high school senior who runs **HighwireDaily.com**, his own news website and has been published by the **Washington Examiner** as well. Betrus recently wrote an opinion piece entitled **"Why Term Limits Are Needed to Make America Great**

***Again***". He opines "*The longer representatives and senators spend in Washington, the more out of touch they become with the rest of America.*"

Read Hall's piece [HERE](#)... and the Betrus piece [HERE](#).

## **Act 2 Refined... Another Proposal for Using Article V –**

Colorado resident Frank W. Keeney has spent the last several years observing the shortcomings of America's federal government, and brainstorming ways to fix the federal government. A few years ago he announced "***Act 2 Blueprint***" as his solution.

Keeney has refined his proposals into five suggested Constitutional amendments "*to Rejuvenate America*". His proposals have more of a procedural focus, in contrast to the policy focus of other Article V efforts. He believes the timing is now right to launch a program to promote the Act 2 reform proposals, but being an older gentleman, he is looking to hire an Executive Director to move things forward.

The Act 2 Blueprint proposals are succinctly set forth in a Keeney-produced booklet which can be obtained by writing to him at [Act2reform@gmail.com](mailto:Act2reform@gmail.com). Anyone interested in leading a new Article V movement based on the Act 2 Blueprint is also welcome to contact him at 303-932-9339.

## **Who Said It?**

Talking to state legislators about the BBA-focused Article V effort  
at the kick-off dinner for the Phoenix BBA Planning Convention,

he admonished them:

**"Lead, follow, or get out of the way!"**

Ken Cuccinelli, former Virginia Attorney General

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This Newsletter is produced by  
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Dear Kirk,

As the States and Nation Policy Summit nears, please make sure to take a look at the important 35- Day Notification materials below! Included on each Task Force's webpage are draft agendas for the subcommittees, working groups and the Task Force meetings, as well as the model policies in line for Task Force consideration.

[Click Here to Register Today](#)

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## Full List of Model Policies

While you are busy making plans for your Task Force meetings, make sure to carve out some time for a quick, **20 minute CARE demonstration**. If your Task Force falls on Friday, drop by during the Thursday line-up. Click below for the full schedule.

## ALEC CARE Demo Schedule

I look forward to seeing you this December, as we discuss a wide range of state-based solutions for some of today's biggest policy topics and hear from a wide range of policy experts.

See you in Nashville!

Lisa B. Nelson  
CEO



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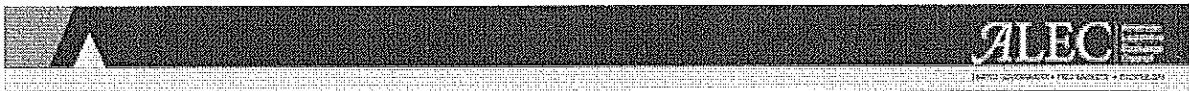


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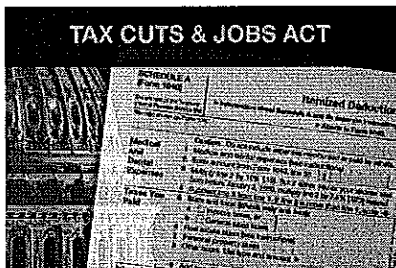


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## The Big Reveal: Our First Look at the Tax Bill



The House Ways and Means Committee released its tax reform legislation today that preserves much of the original intent of lowering rates, simplifying the code and making it fairer.

[Read Press Release](#)

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**Member Focus**

**State Legislators Support Eliminating the SALT Deduction**



Hear from state legislators talking about tax reform, and why they support the repeal of the state and local tax (SALT) deduction. Legislators from both high- and low-tax states explain why this is an incredibly important issue.

[Watch Playlist](#)

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## Legislator Voices

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### **Incoming Nat'l Chmn. Rep. Jason Saine (NC) Gives Tax Reform Advice**

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Incoming ALEC National Chairman Jason Saine of the North Carolina General Assembly discusses why he believes tax reform is important for America. His advice to the Ways and Means Committee: "Put on your earmuffs, move forward because you know you are right. This is what America needs to be competitive."

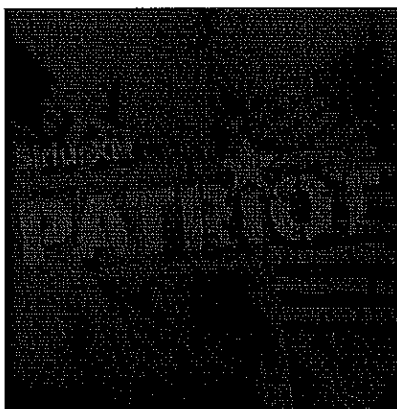
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## ALEC On the Radio

### **Jonathan Williams Joins Patriot Radio**

Jonathan Williams | Center for State Fiscal Reform



ALEC Chief Economist and Vice President of the Center for State Fiscal Reform Jonathan Williams joins SiriusXM's "Patriot Radio" to discuss the upcoming tax reform bill. Jonathan is optimistic about the bill, stating, "We're on the cusp of fundamental tax reform for the first time in a generation that could provide 3-4% growth."

[Listen Here](#)

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[Hear From the Experts](#)

## Spooky Scare Tactics on Halloween

Center for State Fiscal Reform



In this Halloween edition of *Jonathan & Joel Talking Tax Reform*, our two experts discuss scare tactics that tax reform opponents have been deploying.

[Watch Video](#)

[Expert Opinion](#)

## We Must Get SALT out of Taxpayers' Diets

Jonathan Williams | Center for State Fiscal Reform | *The Hill*



While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers. Read Jonathan Williams' column in *The Hill* discussing the importance of eliminating the SALT deduction

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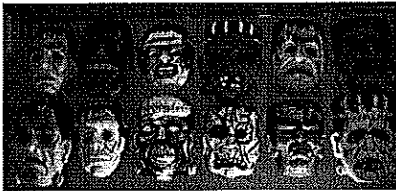
Expert Insight

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## Happy Halloween: States Look to Outlaw Masks During Protests

Shelby Emmett, Ronald Lampard | American Legislative Exchange Council

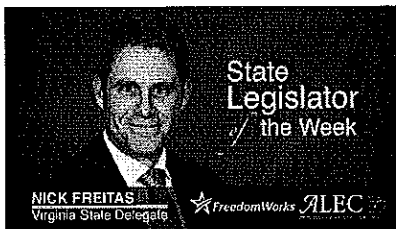


This Halloween many states are considering outlawing the wearing of masks. Why? The news of late has been filled with scenes of American protests gone wrong. Whether it is the chaos at Berkeley or the horrific events that unfolded in Charlottesville, protesting has turned from something to celebrate to something to fear.

[Read Article](#)

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## A Modern Day Patrick Henry – “Give Me Liberty...”



This week, ALEC and FreedomWorks introduce Virginia State Delegate Nick Freitas from the 30th district. Freitas firmly believes that, “We need more people in office dedicated to the philosophy that government’s primary responsibility is to protect the people’s liberty and property.”

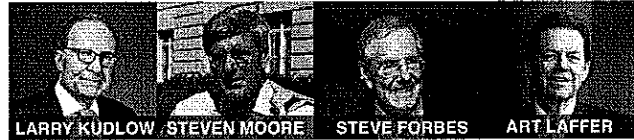
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States and Nation Policy Summit '17

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Register for SNPS Today!



The States & Nation Policy Summit is gearing up to be a very popular meeting and we have an amazing line up of speakers that you do not want to miss! As the ALEC room block is quickly filling up, we encourage you to visit our meetings page for **alternative hotel options**. We apologize for any inconvenience this may cause, but are excited to see so many of you in just a few short weeks!

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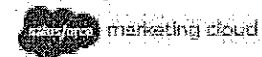
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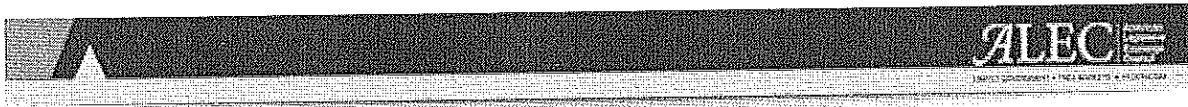


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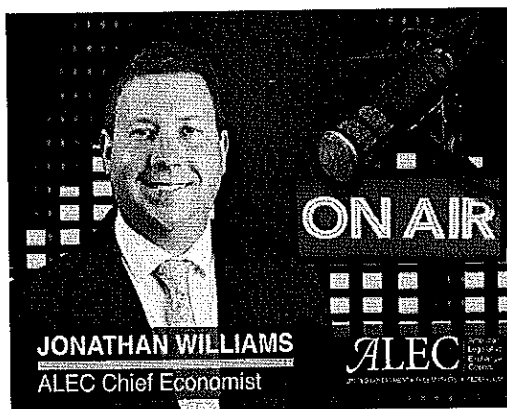
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### Expert Opinion

#### Chief Economist Jonathan Williams on WTOP



Last Friday, ALEC Chief Economist Jonathan Williams was on WTOP where he discussed tax reform and the new tax bill with Hillary Howard and Shawn Anderson.

[Listen Here](#)

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## States and Nation Policy Summit '17

### You're Invited to Nashville



Pennsylvania Representative Seth Grove encourages you to come to Nashville for the ALEC States and Nation Policy Summit.

There is an excellent lineup of speakers and opportunities to network with like minded legislators from across the country.

[Watch Video](#)

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### Registration Deadline



Early Bird registration ends today. Act now to attend the States and Nation Policy Summit at the discount rate. Beginning tomorrow, standard attendance rates apply. The Nashville meeting is shaping up to be one of the best ever, and your colleagues have taken notice. The ALEC room block at the main conference hotel is sold out, but visit the ALEC meetings page for a list of alternate accommodations.

[Register Today](#)

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### Inaugural Rural Caucus Meeting in Nashville



A majority of ALEC members represent rural areas. Together, ALEC member legislators can put in place a real plan of action to bring investment and innovation to rural America. Join your colleagues from across the country on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus to start the conversation.

[Register Today](#)

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### Expert Opinion

#### **How Eliminating the State and Local Tax Deduction Would Lower Tax Rates**



This week, ALEC Chief Economist Jonathan Williams and Pennsylvania Representative Seth Grove spoke on a panel at The Heritage Foundation on how eliminating the state and local tax deduction would policy and tax rates.

[Read More](#)

[Watch Panel](#)

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### Expert Opinion

#### **Oregon Triggered By Poor Tax Policy**

Erica York | Center for State Fiscal Reform





Oregon lawmakers are considering one of the largest tax increases in state history. Triggering the disconnect is a 1979 law unique to Oregon called “the kicker” by which taxpayers sometimes enjoy a partial income tax rebate after a biennium ends.

[Read More](#)

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### Legislator of the Week

#### Upholding Constitutional Values in Utah



This week, ALEC and FreedomWorks introduce Utah State Senator Margaret Dayton from the 15th district. Dayton represents Utah County. A previous member of Utah's House of Representatives, Dayton is serving her 10th year in the Salt Lake State's Senate.

[Read More About Sen. Dayton](#)



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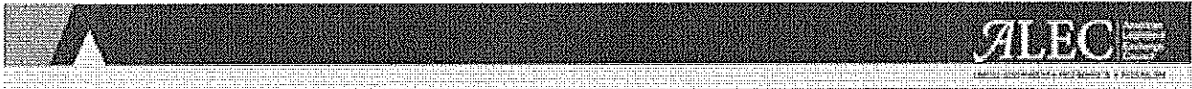
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11/10/2017

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**Communications and Technology Update -  
November 10, 2017**



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Dear Members of the Communications and Technology Task Force,

I trust you are as excited about the upcoming States and Nation Policy Summit in Nashville as I am. The Task Force has a great agenda for you to be apart of. If you have not yet registered, I encourage you to do so, by clicking [here](#).

As you may be aware, the 35 - day mailings just went out. You may find the task force agendas and proposed policies [here](#) . To highlight the week we will hear presentations on state attempts to regulate privacy and why such attempts are misguided. We will have an update regarding the FCC's Restoring Internet Freedom proposed rule. We will also hear from the US Department of Transportation regarding the innovative technologies it is encouraging.

In addition we will also hear from Steve Pociask of the American Consumer Institute. He will be presenting on a [new report](#) from ACI entitled The Lost Economy: The Economic and Consumer Benefits from 5G If State and Local Governments Streamline Costly Red Tape. I highly recommend you read through the report prior to the meeting.

One proposed policy I would like to highlight is a proposed Statement of Principles for Online Free Speech. The attacks against technology companies, internet service providers and internet users are unprecedented. Several members have introduced a Statement of Principles that should help guide state legislators thoughts on the matter. After reading through the proposal, if you have any questions, please email me at [jhauenschild@alec.org](mailto:jhauenschild@alec.org).

I am looking forward to seeing each one of you this December.

Regards,  
Jonathon Paul Hauenschild, J.D.  
Director, Task Force on Communications & Technology

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### What I am Reading

#### **Shifting Perceptions of Collaborative Consumption**

National League of Cities



The National League of Cities released a report indicating that cities are cooperating with the emerging peer-to-peer economy. While some may question whether this is true, the report at least admits the peer-to-peer economy represents a positive economic development.

[Read More](#)

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#### **Another Court Tell Police: Want to Use a Stingray? Get a Warrant**

Cyrus Farviar | ARS Technica



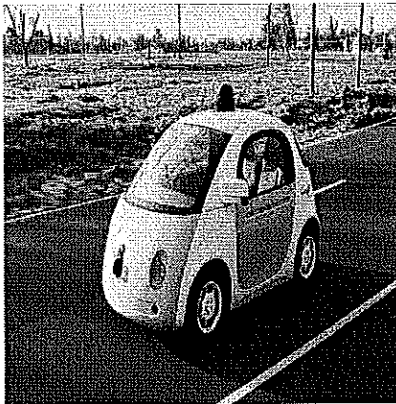
A D.C. Court rules that the police must obtain a warrant prior to using a device that locates suspects based on signals from their cell phones. In an unrelated case, the Supreme Court will be reviewing whether or not a warrant is necessary.

[Read More](#)

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## Senate Panel Approves Legislation That Would Put a Hell of A Lot More Self-Driving Cars on US Roads

Jennings Brown | Gizmodo



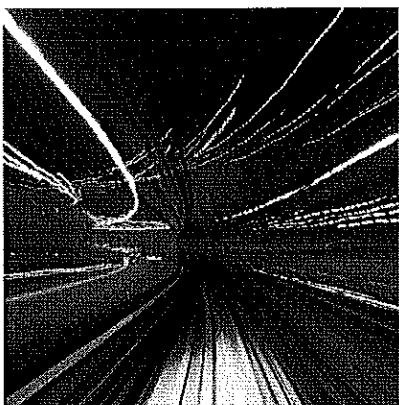
Should self-driving cars be regulated at the state or federal level, if at all? The Commerce Committee of the Senate forwarded a proposal to the full Senate that will put America on the road to testing and adopting autonomous cars. The proposal puts NHTSA in charge of performance standards, meaning states can't regulate self-driving cars beyond registration, safety inspections and insurance.

[Read More](#)

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## SESTA and the Future of the Internet

Protect 230 | Medium



A proposal in front of the U.S. Senate to curb child sex trafficking will likely not solve the problem it claims to solve and will permanently change the internet ecosystem. The changes will force massive online retailers, such as Amazon, Ebay, Walmart, and others to fundamentally change their business models.

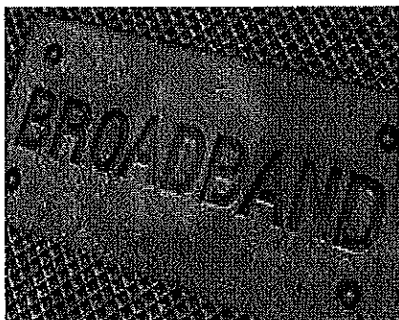
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What I am Writing

## **Universal Access to Broadband Isn't Free if Regulations Keep Driving Up the Expense**

Washington Examiner



A primary cost driver for broadband infrastructure build-out is unreasonable local fees and conditions placed on traditional telecommunications providers. As these providers look to invest nearly \$275 billion in infrastructure development over the next seven years, states should look closely at streamlining the approval process, preempting localities if, and as necessary.

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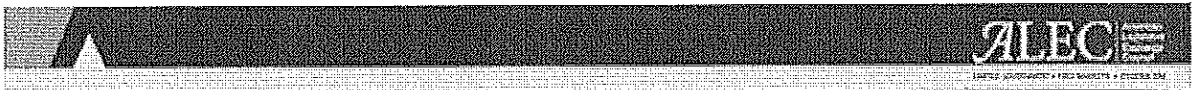
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Dear Members,

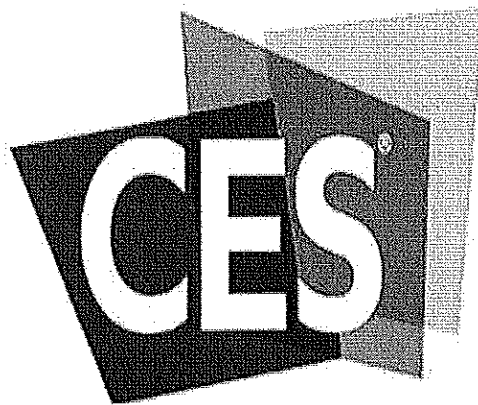
The American Technology Council, started by President Trump, released a draft report in August detailing how to reorganize government to enhance the delivery of the best IT solutions to support the American people. Much of the planned changes will come to fruition via the General Services Administration (GSA)'s IT schedule. Given that the GSA, which provides centralized procurement for the federal government, is also in the midst of reorganizing and reprioritizing under the direction of a new administration these changes should be relatively easy to implement.

But at this time of determining new priorities, another part of that sprawling agency needs attention as well -- the 18F program. The 18F program has now forced itself into the states having left its federal confines. The program sprawl should be raised during the anticipated confirmation hearing of Emily Murphy, the administration's pick to lead the agency.

The program was begun by the Obama administration with the premise that government needed to recruit commercial-sector information technology talent to assist federal government agencies with their major technology challenges. However, 18F quickly found that their potential internal federal customers were not that interested. So, less than three years after its founding, the mission creep began.



The program expanded its role by actively soliciting and offering services to state and local governments—including end-to-end state program oversight as a systems integrator, federal procurement assistance and federal agency enablement. But as with most Faustian bargains, there is a catch. This offer is often paired with significant pressure from the federal agencies that are responsible for funding portions of these technology projects to the point where states may feel compelled to work with 18F regardless of whether or not those states feel it is in their best interest to do so.



70% of the world's population is forecast to live in cities by 2050.

Smart cities are on the rise. Be part of the discussion on this explosive growth that will influence policies at the Consumer Electronics Show in Las Vegas, NV, January 9-12, 2018.

[Learn More](#)

The GSA should have absolutely no role seeking contract management from states to perform IT responsibilities, using contractors as subcontractors under procedures that reflect nothing near state procurement laws. In addition to 18F's inexperience performing contract management roles, the full risk of state and local technology contract performance normally placed on a contractor now has been moved to an entity that is exempt from cost or performance risk. When a state or local IT system does not work, who is held liable? Are GSA funds expended to fix whatever issues might be created by 18F? Will the federal government leave states holding the bag?

Although there has been no formal explanation given as to why GSA has pushed

itself into the states, significant financial losses that the program has experienced since its inception may be the reason. Failing to convince the federal government to use its own creation, 18F appears to have now moved on to target the states.

The confirmation hearing would be a perfect place and time to ask for a formal explanation as to why GSA has expanded beyond the federal government to compete directly with the private sector. Even better would be to use the time to dissuade the agency from competing with the free market, violating principles of federalism and labeling the expansion of the federal government as innovation.

Sincerely,

Bartlett Cleland  
ALEC General Counsel and Chief Strategy and Innovation Officer

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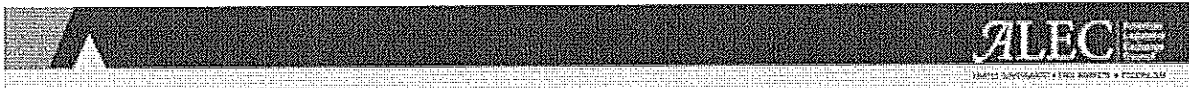
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**Center to Protect Free Speech - November 14, 2017**



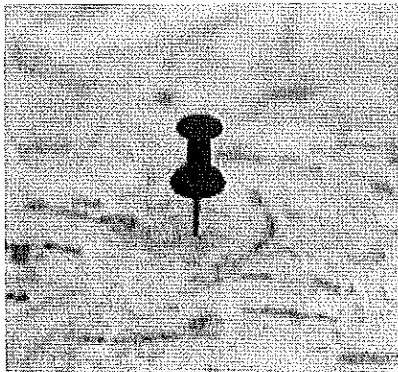
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## Have a Free Speech Briefing in Your State

Contact Shelby Emmett for more information: [Semmett@alec.org](mailto:Semmett@alec.org)



The Center to Protect Free Speech is currently holding a series of free speech issue briefings for state legislators at state capitols across the United States! These briefings cover the issues of campus speech, donor privacy and commercial speech. We have already held briefings in South Carolina, Michigan, Utah and West Virginia and are continuing to hold briefings in the fall.

If you are interested in having an issue briefing in your state on free speech, click below and Shelby Emmett will reach out to you soon.

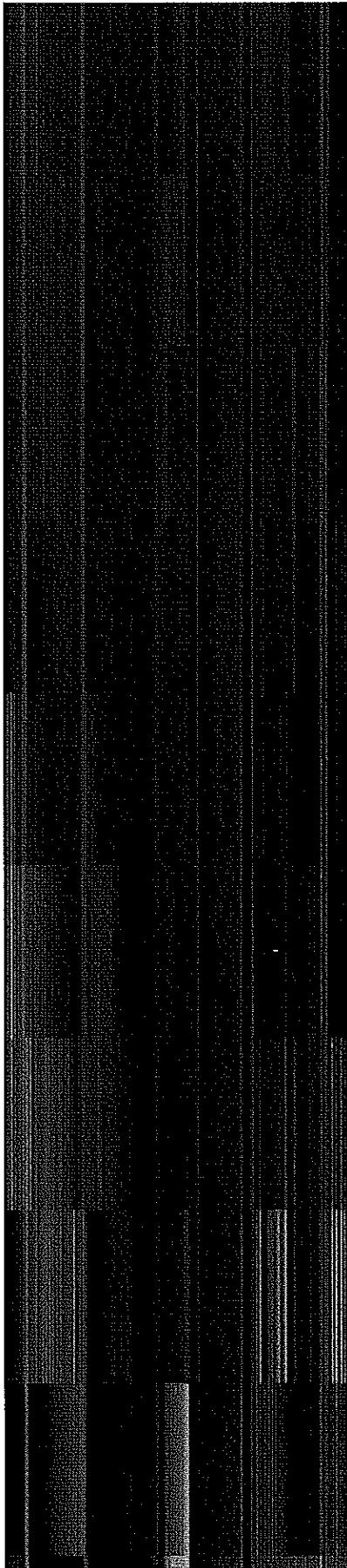
[Schedule Yours Today](#)

**In the News**

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## **Cap·impact Interview – Protecting Free Speech with Shelby Emmett**

Jon Wainwright | *Cap·impact*



Shelby Emmett, Director of the Center to Protect Free Speech at ALEC, interviewed with Cap·impact, a project of the Capital Center for Law & Policy at McGeorge School of Law. Listen to hear what she has to say about how ALEC works to protect free speech.

[View Article](#)

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## Campus Speech

### ALEC Free Speech Director Advises CA Senate on Protecting Campus Free Speech

Shelby Emmett | Center to Protect Free Speech



Center to Protect Free Speech Director Shelby Emmett testified before the California Senate Committee on Public Safety at the invitation of ALEC member and California State Senator Joel Anderson.

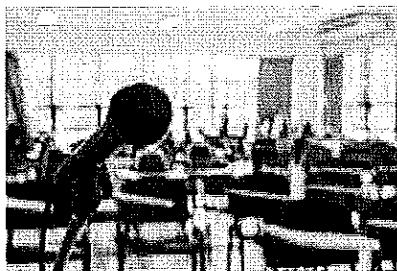
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### Federal and State Leaders Take Promising Steps Towards Protecting Campus Free Speech

Dan Moran | Center to Protect Free Speech



By making First Amendment rights on college campuses a priority, leaders like Attorney General Sessions and Lieutenant Governor Patrick are poised to make a difference not only in the specific cases they pursue but across the country as legislators and other leaders watch, learn and hopefully, follow suit. With policies that enhance free speech environments by lifting restrictions and protecting everyone's right to speak, protest and counter-protest lawfully, college campuses can be the centers of exchanging ideas they were meant to be.

[View Article](#)

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### Donor Privacy

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## **Victory for Free Speech and Donor Privacy: Justice Dept. Settles with Conservative Groups Wrongly Targeted by IRS**

Daniel Turner & Joel Griffith | American Legislative Exchange Council



Attorney General Sessions stated "And it should also be without question that our First Amendment prohibits the federal government from treating groups differently based solely on their viewpoint or ideology." Needless to say, the tax code should never be weaponized by the federal government into a tool for suppressing particular political perspectives.

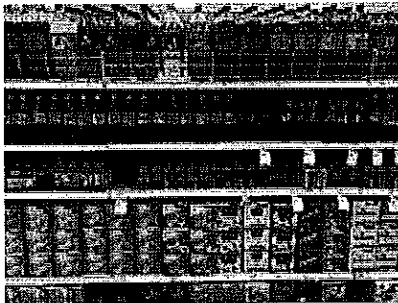
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or

## Commercial Speech

### **Court Pops San Francisco Officials' Bubble: No, You Can't Use Commercial Speech Restrictions to Push Your Agenda**

Daniel Turner | Center for Protect Free Speech



What will it take for officials to learn? Prohibiting speech or compelling speech in the marketplace is not the way to deal with products or services they do not like. It is an easy way to get sued and to have one's regulation blocked on protected commercial speech grounds. This recently occurred in *American Beverage Association v. City and County of San Francisco*.

[View Article](#)

\*\*\*\*\*

## Approaching Free Speech Issues

### **Happy Halloween: The Spooky Consequence of Criminalizing Freedom of Expression**



This Halloween, many states are considering outlawing the wearing of masks. Why? The news of late has been filled with scenes of American protests gone wrong. Whether it is the chaos at Berkeley or the horrific events that unfolded in Charlottesville, protesting has turned from something to celebrate to something to fear. In response to this fear, some states have sought to solve this problem by criminalizing the wearing of masks, hoods, or helmets. Will this apply to trick-or-treaters, especially those who cry in protest from the type of candy at the door? Will ungrateful children be forced to remove their masks and show their tears? The proposed laws may not go that far but they are close.

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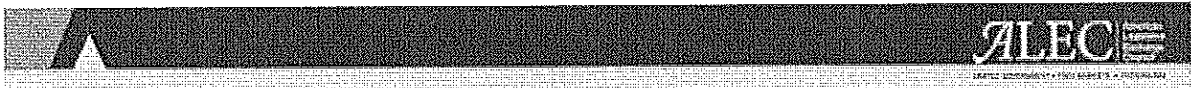


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**Digital Exchange - November 16, 2017**



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## RSVP: Congressional Tax Call With Rep. McMorris Rodgers

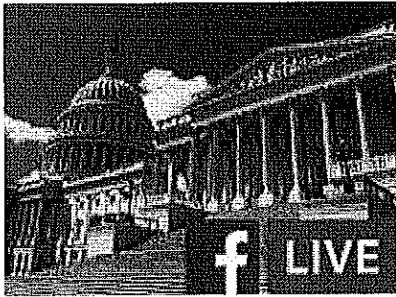


**Friday, November 17, at 11:30 AM (EST)** House GOP Conference Chair Cathy McMorris Rodgers (WA) invites ALEC members to join a State Advisory Call to discuss the latest developments on the House and Senate tax bills. It's a great opportunity to learn about the prospects for passage from an ALEC alumna.

**RSVP for Call**

ALEC On Capitol Hill

**Tune-in to the ALEC Facebook Live Event: "A Tale of Two States: KS vs. NC"**



What can federal policymakers learn from two of the most significant tax reform case studies? Tune-in **Monday, November 20; 12:30PM (EST)**, to watch this ALEC Facebook Live U.S. Capitol event featuring Jonathan Williams, ALEC Chief Economist, and Grover Norquist, President Americans for Tax Reform. Joining them are ALEC legislators Ty Masterson (KS) and Jason Saine (NC). **To view the event go to: [facebook.com/alec.states](https://facebook.com/alec.states)**

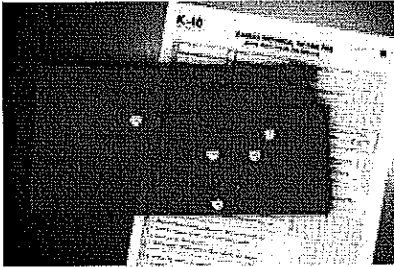
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## Tax Reform

### Distinguishing Myth from Reality: The Kansas Tax Reform Effort

Jonathan Williams & Joel Griffith | Center for State Fiscal Reform



Tax policy changes in Kansas have received more media attention than any other state-level fiscal reforms in recent memory – even though many successful pro-growth tax reforms took place in states like North Carolina. It's a myth promulgated by the tax and spend crowd that Kansas' economic difficulties can be pinned on this. The data indicates otherwise.

Read Article

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## States and Nation Policy Summit '17

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Join Us at SNPS

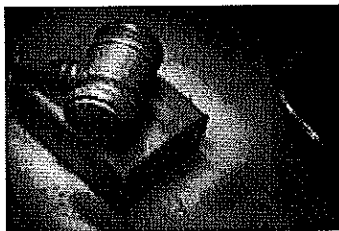


As the December 6th policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accomodation. This year's event is forecast to one of our largest. Don't miss out on hearing from political leaders and the opportunity to attend our workshops. It's a terrific networking experience. Visit the ALEC meetings page for more information.= A

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### All Model Policies for Consideration Now Online



All model policies up for consideration at State & Nations Policy Summit are now online to be reviewed in preparation for the December 6 - 8 meeting in Nashville

[View Model Policies](#)

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### Attend Inaugural Rural Caucus Meeting in Nashville



With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus.

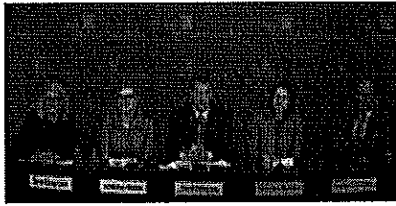
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### Expert Opinion

#### **School Choice for Military Families is Good for National Security**

Inez Feltscher Stepman | Education and Workforce Development



The lack of educational options is a main reason service families leave the military and return to the private sector. Inez Fletcher Stepman, Director of the Education and Workforce Development Task Force at ALEC, recommends giving military families a choice of schools, saying, "We must ensure that no one in uniform has to worry about their children's educations." Stepman recently moderated a panel on this issue at the Heritage Foundation.

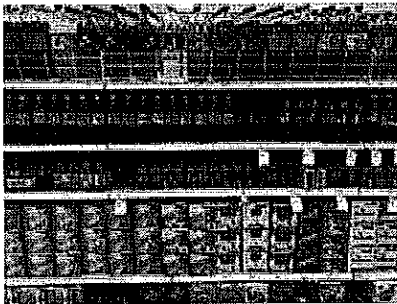
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## Expert Insight

### Court Pops San Francisco Officials' Bubble

Daniel Turner | Center to Protect Free Speech



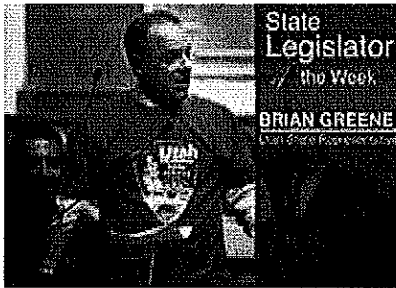
Prohibiting speech or compelling speech in the marketplace is not the way to deal with products or services that lawmakers do not like. It is an easy way to get sued and to have one's regulation blocked on protected commercial speech grounds. This recently occurred in *American Beverage Association v. City and County of San Francisco*.

[Read More](#)

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## Legislator of the Week

### Restoring the Balance of Power



Utah State Representative Brian Greene is a leader in criminal justice reform and occupational licensing issues. He believes the biggest issue to face his state is "not a particular policy issue but, rather the threat to liberty and good limited government posed by the weakening of the legislative branch in comparison to the executive branch." This series of state legislator profiles is brought to you by ALEC and FreedomWorks.

[Read More About Rep. Greene](#)



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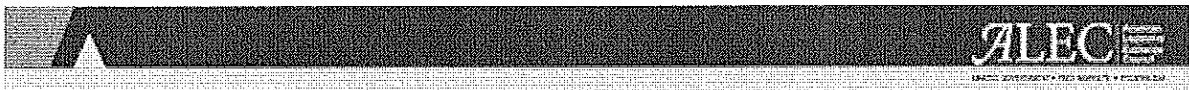
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## Events and Education - November 21, 2017



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## States and Nation Policy Summit Update



As the December 6 policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodation. This year's event is forecast to be one of the largest. Don't miss out on hearing from political leaders and the opportunity to attend the workshops. Visit the ALEC meetings page for more information.

[Register Today](#)

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## Speaker Highlight

### **The Conservative Millennial - Allie Stuckey**



Allie Stuckey is a native of Dallas, TX, and is a conservative blogger and political commentator. Her video blog, *The Conservative Millennial*, has garnered an audience of more than 220,000 in a little of a year. Allie's passion is engaging millennials and college students in culture and politics from a conservative perspective.

Allie will be speaking at the SNPS Thursday lunch.

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## New Caucus Update

### **Attend Inaugural Rural Caucus Meeting in Nashville**



With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the ALEC Rural Caucus.

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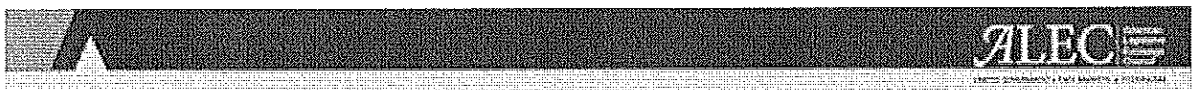


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## Communications and Technology Update - November 21, 2017



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Dear Members of the Communications and Technology Task Force,

The American Legislative Exchange Council has issued a statement below applauding FCC Chairman Pai's decision to roll back Obama administration internet regulations and return the internet back to a light-touch framework that will allow it to thrive.

The full statement can also be found [here](#).

Regards,  
Jonathon Paul Hauenschild, J.D.  
Director, Task Force on Communications & Technology

The American Legislative Exchange Council applauds the Federal Communications Commission's efforts to Restoring Internet Freedom.

The FCC's proposal, if passed, will reverse the Obama administration's efforts to take over control of the internet, institute safeguards against bureaucratic micromanagement of the internet, and allow consumers to direct their internet

experience.

Some key aspects that will likely be included when the draft order is released tomorrow, based on statements and media reports:

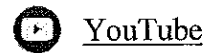
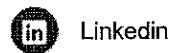
Reinstating the Title I Information Service designation of the internet, reversing the Obama administration's unilateral decision to classify it as a Title II telecommunications Service. This reinstatement also reflects Congress's intent to apply a "light-touch" regulatory approach to the internet. Ensuring that the Federal Trade Commission and the Department of Justice have the authority to protect consumers against actual harms they suffer should a service provider act inappropriately.

"The Commission's actions are an important step forward for those who want to close the digital divide, unleash the economic power of the internet, and ensure that America continues to lead the world in technological innovations," states South Carolina State Representative Garry Smith, the public sector chair for the ALEC Task Force on Communications and Technology.

"The proposal will restore the regulatory light-touch approach to internet governance envisioned by Congress in the 1996 Telecommunications Act," states North Carolina State Representative Jason Saine, the incoming national chair for ALEC. "The light-touch approach will ensure the continued growth and expansion of the online ecosystem free from government control."

"It is exciting to see Chairman Pai's commitment to openness and transparency," according to ALEC CEO Lisa Nelson. "Before the Chairman's initiatives, experts had to divine what rules a proposed order may include. Because of the Chairman, we will know three weeks before the vote what the Commission will vote on. In this case, the Commission will take an important step, returning internet governance to the consumer. By returning the internet to the consumer, rather than the government, the Commission empowers the future growth of the internet."

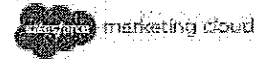
The Communications & Technology Task Force is dedicated to helping policymakers understand the constant changes and dynamic innovation present in today's economy. This includes helping legislators and others digest the proposed Restoring Internet Freedom Order when its text is released Wednesday.



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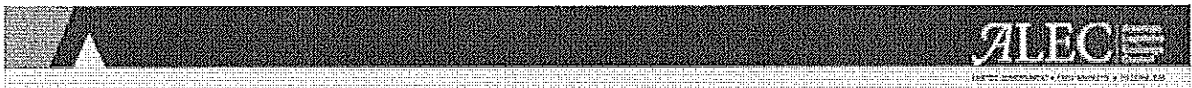
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**Center for State Fiscal Reform Update -  
November 28, 2017**



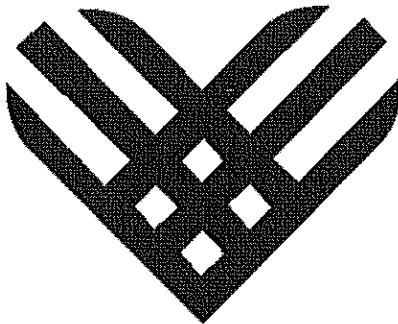
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### **Good Tax Policy Helps Good People Do More Good**

Elliot Young | Research Analyst, Center for State Fiscal Reform



Tax and regulatory burdens can certainly degrade the health of charitable giving. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving. Federal and state lawmakers should work to provide pro-growth tax reform so that every hardworking taxpayer can have more to give more on this Giving Tuesday.

[Read More](#)

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## Income Taxes

### **States Stunt Growth by Using Income Taxes to Shake Down Mobile Workers**

Joel Griffith, Jonathan Williams | The Hill



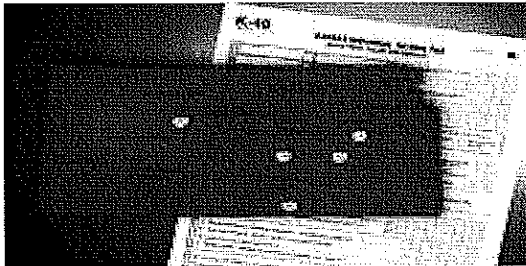
= AA maze of state income tax codes ensnares an increasing proportion of the increasingly mobile American workforce. An assortment of mainly high tax states demands income tax payment from nonresidents working in or travelling through another state for a few short hours or days. These requirements saddle businesses and their employees with new and burdensome compliance costs.

[Read More](#)

## Spotlight on Kansas

### **Distinguishing Myth from Reality: The Kansas Tax Reform Effort**

Jonathan Williams, Joel Griffith | Center for State Fiscal Reform



Tax policy changes in Kansas have received more media attention than any other state-level fiscal reforms in recent memory – even though many successful pro-growth tax reforms took place in states like North Carolina during the same time period.

[Read More](#)

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## State and Local Tax Deduction

### **Benefits to Taxpayers With Repeal of State and Local Tax Deduction**

Thurston Powers, Rep. Seth Grove | Philly.com



Repealing SALT would generate up to \$1.7 trillion over 10 years, which could fund broad-based tax relief, such as doubling the standard deduction, lowering marginal rates on personal and pass-through income, expanding the child tax credit, and making our corporate tax rates — the highest in the industrialized world — far more competitive.

[Read More](#)

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### Expert Opinion

#### **We Must Get SALT Out of Taxpayers' Diets**

Jonathan Williams, Sal Nuzzo | The Hill



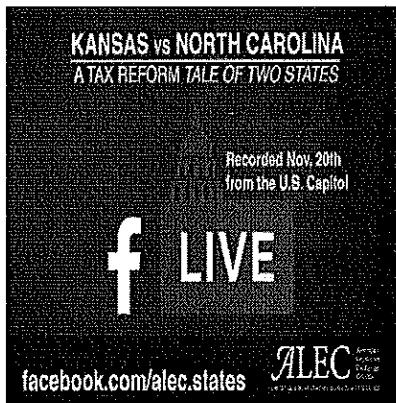
While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers.

[Read More](#)

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### Facebook Live

#### **A Tale of Two States: Kansas vs. North Carolina**



North Carolina and Kansas enacted two of the most important state tax reforms of the past decade. Lessons from both states should guide Congress over the next several weeks.

This panel explained what actually happened with taxes and spending in Kansas and North Carolina. The dual lessons illustrate the need for broad rate reductions and spending controls.

[Read More](#)

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Fiscal Responsibility in Higher Education Academy

### **First Termmer Learns the Issues at ALEC Academy**



Representative Susan Beckman is serving her first term as a state legislator in Colorado and is a new ALEC member. We caught up with her at the Fiscal Responsibility in Higher Education Academy at the Antonin Scalia Law School at George Mason University.

[Read More](#)

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## **State Budgets**

### **The Williams Report**

Bob Williams | State Budget Solutions



Bob Williams give you an around the country look at what is happening in the states when it comes to budgets and pensions.

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**States and Nation Policy Summit Preview**  
November 30, 2017

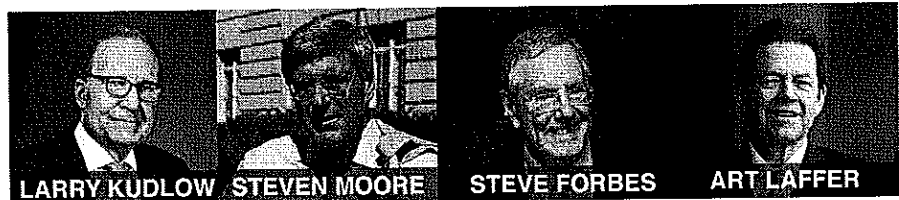


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# States and Nation Policy Summit Update



As the December 6th policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodations. This year's event is forecast to be one of the largest. Don't miss out on hearing from political

leaders and the opportunity to attend the workshops. Visit the ALEC meetings page for more information.

[Register Today](#)

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## New Caucus Update

### **Attend Inaugural Rural Caucus Meeting in Nashville**



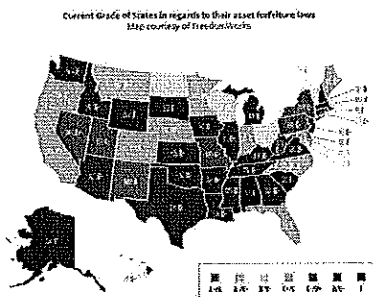
With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the *ALEC Rural Caucus*.

[Register Today](#)

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## ACCE Workshop Spotlight

### **ACCE Workshop on Opioid Addiction and Civil Asset Forfeiture Reform**



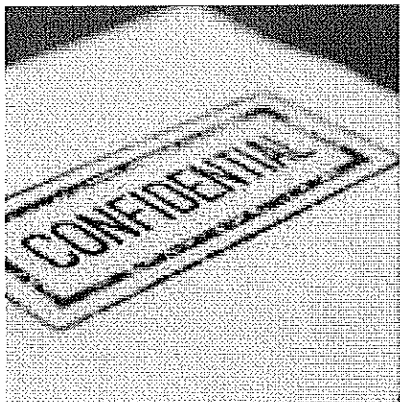
The American City County Exchange (ACCE) will be holding a number of workshops throughout the week, including one on Civil Asset Forfeiture reform against the backdrop of the current opioid epidemic. Come learn about innovative solutions and how local and county governments are reforming criminal justice systems to help fight this crisis.

[Check Out Agenda](#)

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## Free Speech Workshop

### Learn about Disclosure Demands that Threaten Donor Privacy



The ALEC Center to Protect Free Speech is dedicated to protecting Donor Privacy and the right for people to support causes without opening themselves up to harassment and targeting. Come learn about some of the threats to this ideal at the Workshop: Your Name on a Government List, Disclosure Demands that Threaten Donor Privacy, at the ALEC States and Nation Policy Summit.

[Check Out Agenda](#)

## Expert Insight

### Giving Tuesday: Good Tax Policy Helps Good People Do More Good

Elliot Young | Center for State Fiscal Reform

#GIVING  
TUESDAY

Charitable giving does not occur in a vacuum. While an individual's moral beliefs may motivate giving, the actual capacity for one to give is largely a function of income, expenses, and the perceived quality of the available charitable causes. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving.

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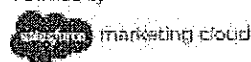


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**From:** Daniel Seiple  
**Sent:** Tuesday, December 5, 2017 3:53 PM  
**To:** Rep48  
**Subject:** Are you going to Nashville?

Kirk Schuring,

I'm a constituent and I am writing to ask if you are attending the American Legislative Exchange Council's "States & Nation" meeting in Denver this week.

I am very concerned about ALEC's influence. ALEC is an organization that has repeatedly put corporate profits above the desire of the American people.

By refusing to become a member of ALEC, you stand with the people you represent. People that play fair and work hard.

Daniel Seiple  
danbev22@neo.rr.com  
1933 Wynstone Cir ne  
North Canton, Ohio 44720

**From:** karen kindel  
**Sent:** Tuesday, December 5, 2017 9:25 PM  
**To:** Rep48  
**Subject:** Are you going to Nashville?

Kirk Schuring,

I'm a constituent and I am writing to ask if you are attending the American Legislative Exchange Council's "States & Nation" meeting in Denver this week.

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By refusing to become a member of ALEC, you stand with the people you represent. People that play fair and work hard.

karen kindel  
k.kindel@att.net  
5921 freitag  
Canton, Ohio 44718

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**Subject:** The Leaflet: Ending the Environmental Protection Agency's 'Endangerment Finding'

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## Ending the Environmental Protection Agency's 'Endangerment Finding'

In recent months, President Donald Trump and his EPA Administrator Scott Pruitt have concluded that the threat of catastrophic climate change was grossly exaggerated by the Obama administration and announced the end of the "war on coal." Instead of federal actions designed to destroy America's coal industry and drive up Americans' energy bills, the Trump administration instead is pursuing a strong pro-energy, pro-environment, and pro-jobs agenda. This includes dramatic steps to reverse some of the costly existing environmental policies imposed by previous administrations. ([Check out the Energy Freedom Score Card](#) for specific examples.)

One major remaining hurdle in the way of fixing America's energy policies is the Obama-era "Endangerment Finding." Issued by the EPA in 2009, it claimed that human emissions of carbon dioxide, as well as methane leaks from natural gas production and pipelines, cause dangerous global warming and pose an imminent danger to the health and wellbeing of

Americans. Science proves none of these claims, which is why the Endangerment Finding warrants reconsideration by the EPA.

A task force at this week's American Legislative Exchange Council (ALEC) Summit debated a resolution, drafted by The Heartland Institute, calling for a review of the Endangerment Finding. Heartland's discussions with state legislators, as well as a straw vote of elected officials and conservative think tanks, found a majority of them supported the effort. But after corporate ALEC members, led by ExxonMobil and the Edison Electric Institute (EEI), stacked the meeting room with lobbyists and their well-funded allies in support of the Endangerment Finding, Rep. Piscopo (R-CT) and Heartland Research Fellow Bette Grande agreed to withdraw the resolution and resume consideration next year. (Read the [resolution to review the Endangerment Finding](#), the [coalition letter in favor of the resolution](#), and the [letter withdrawing the resolution](#).)

"This result is disappointing, but not surprising," said Heartland Institute President Dr. Tim Huelskamp, who served in the Kansas Senate for 14 years. "Big corporations like ExxonMobil and trade groups like EEI have long been members of the discredited and anti-energy global warming movement. They've put their profits and 'green' virtue signaling above sound science and the interests of their customers." While the final decision on the Endangerment Finding will be made by Administrator Pruitt, the effort would benefit greatly from support by the states.

Grande recently reexamined the endangerment finding and concluded it is "flawed." In a [Heartland Policy Tip Sheet](#), Grande wrote EPA's evidence is not backed by science and real-world observations. "Estimates of climate sensitivity to increased concentrations of carbon dioxide appearing in the scientific literature since 2009 have fallen steadily below the estimates used by EPA," Grande wrote.

Grande says policymakers should urge EPA to "reopen and review" the endangerment finding, and Congress should "pass legislation banning the regulation and taxation of carbon dioxide," which Grande says is "against the public good." Grande's conclusion are backed by earlier studies from [The Cato Institute](#) documenting that the EPA "refused to consider or ignored significant refereed science" and the [The Heritage Foundation](#) highlighting the excessive, massive cost borne by small businesses.



## What We're Working On

### Energy & Environment

#### Trump Administration Reverses Obama-Era Drilling Restrictions

In this story published by *Environment & Climate News*, H. Sterling Burnett, a senior fellow in environment and climate, reports the Department of the Interior (DOI) announced it plans to rescind a policy implemented under former President Barack Obama that placed large areas of public lands off limits for consideration of oil and gas leasing and development. DOI's policy shift was made in an effort to comply with President Donald Trump's executive order "Promoting Energy Independence and Economic Growth." Among the recommendations made in DOI's 44-page report, DOI proposes eliminating Obama-era mandates designed to prevent oil and natural gas development near areas the federal government says have high natural and cultural resource value. DOI announced it will end the policy by 2018 and will instead use individual resource management plans to guide where energy development will be permitted on public lands. [Read more](#)

### Education

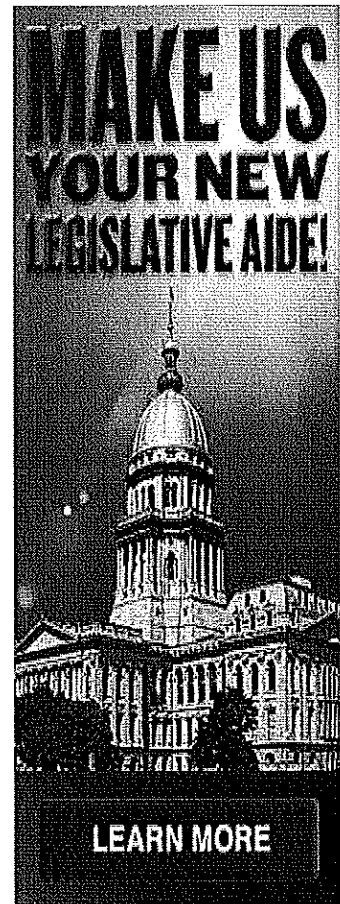
#### Research & Commentary: Financial Literacy Classes in K-12 Education

In this *Research & Commentary*, State Government Relations Manager Lindsey Stroud examines legislation proposed in several states that would mandate financial literacy coursework. Some of these states are considering bills that would include financial literacy courses as a graduation requirement, while others would direct their state education department to implement financial literacy courses in their K-12 curriculums. The National Conference of State Legislatures defines "financial literacy" as the focusing "on the specific knowledge and concepts consumers need to manage their money and build wealth." [Read more](#)

### Budget & Tax

#### Research & Commentary: Cities and States Considering Increasing Tobacco Age Limit to 21, Regulating ENDS like Tobacco Products

State Government Relations Manager Lindsey Stroud looks at recent state and local efforts to enact legislation that would increase the age required to purchase tobacco and electronic nicotine delivery systems (ENDS) from 18 to 21. Stroud concludes such policies do not deter youth tobacco and nicotine consumption and that treating ENDS in a way that's similar or



POLICY NEWSPAPER

identical to tobacco products in legislation stifles tobacco harm reduction efforts. [Read more](#)

## Health Care

### Research & Commentary: Vermont's Certificate of Need Laws Punish Success

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines Vermont's certificate of need (CON) laws and how they hinder the growth of the state's health care market. Glans writes that Vermont has more disruptive CON laws than any other state; Vermont requires medical providers to seek permission from government to expand or add 30 different medical services. The national average is 14. [Read more](#)

## From Our Free-Market Friends

### Seven Things States Should Monitor in the Federal Tax Bill

Joseph Bishop-Henchman of the Tax Foundation examines the House and Senate tax bills and outlines seven key items state policymakers should be concerned about as the bills progress through the legislative process. [Read more](#)



The December issue of *School Reform News* examines a *USA Today* poll finding millennials strongly support school choice. Ashley Bateman writes that this poll supports earlier research by the American Federation for Children which "found 75 percent of millennials support school choice." [Read more](#)

## Environment & Climate News

## Budget & Tax News

## Health Care News



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Attached is a good [Townhall article](#) from a conservative (former law school Federalist Society chair) on why it makes sense to consider the National Popular Vote Compact.

As a former member of the California legislature and former National Chairman of ALEC, I've had an opportunity to discuss this issue with many of you. I just wanted to share this article for your consideration. Please feel free to email or call me with any comments and questions you may have. Thank you for your time and consideration.

### **Surprisingly, Republicans and Conservatives Shouldn't Fear a National Popular Vote**

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By Rachel Alexander

*Townhall*

December 11, 2017

Republicans are hesitant to switch from our winner-take-all state laws allocating electors to the electoral college to using the National Popular Vote. The National Popular Vote Plan would award all of a state's electors to the candidate who wins the most popular votes in all 50 states. There is a fear that such a move will benefit Democrats, since Democrats won the popular vote even though they lost the elections in

2000 and 2016. But the truth is, Republicans are likely going to lose their ability to win the necessary swing state of Florida in the future, and they can win the popular vote by campaigning differently.

The demographics of Florida are changing. More and more illegal immigrants are entering the country. Additionally, Puerto Ricans are flooding the country due to economic chaos and humanitarian crisis following Hurricane Maria at home. When they enter the U.S., because they are American citizens they can vote, and they vote overwhelmingly Democrat. Hillary Clinton had an almost three-to-one edge among Puerto Ricans in Florida last year. Both illegal immigrants and legal Puerto Ricans are counted in the census which is used for determining how many congressional seats and electoral votes Florida receives. This will soon result in an increase in Florida's electoral votes, which will lean more Democratic as increasing numbers of Puerto Ricans vote (this doesn't even take into consideration possible illegal immigrant voter fraud).

It is true that Democrats Al Gore and Hillary Clinton won the popular vote but lost the election. But those weren't true popular vote elections. The Republican candidates they lost to put all their efforts into a handful of swing states, and did a better job campaigning there than the Democrats. In contrast, Clinton's campaign unwisely campaigned in non-swing states such as Arizona, while ignoring the swing state of Wisconsin. If there was a true popular vote election, the Republican candidates would run a completely different type of campaign, likely focusing on mobilizing their base in rural areas and red states. Regardless, Republicans still won the popular vote in 2004.

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A presidential election using the National Popular Vote is not a radical proposal. Critics contend there would need to be a constitutional convention to amend the Constitution in order to change the state-based, winner-take-all rule that most states use to send their electors to the electoral college. This isn't necessary. The electoral college can remain. All the Constitution says about electing the president is in Article II, "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors...." In order to change the system, individual states would merely need to revise state law to send their electors based on the National Popular Vote for the presidential candidates instead of winner-take-all. Currently, all states but two,

Maine and Nebraska, have winner-take-all systems to send their electors to the electoral college.

Critics also claim that using the National Popular Vote in presidential elections would favor big cities over rural areas. This isn't correct. Only one-sixth of Americans live in the 100 biggest cities. In contrast, in the current unfair winner-take-all system, only a handful of states decide presidential elections, the swing states. The 10 most rural states aren't included, nor are 12 of the 13 smallest states. The winner-take-all system does not represent the vast majority of Americans. By the time voting results come in from key swing states, many voters on the West coast don't bother voting because their votes essentially don't count. This hurts minor candidates on the ballot in those states.

Under the current system, presidents shower pork on the swing states in order to get their votes. During the 2004 election, President Bush advocated for and got a trillion dollar expansion of Medicare in order to entice votes from the large population of senior citizens in Florida. Presidents take steps to help the coal industry in order to influence Pennsylvania, and the ethanol industry to help Iowa. Battleground states are twice as likely to receive exemptions from No Child Left Behind as fly-over states and twice as likely to have natural disasters declared.

There is another criticism that a rogue state secretary of state could frustrate the National Popular Vote Compact by refusing to certify the results. This is invalid, since plenty of federal and state laws prohibit that elected official from doing so.

Voter fraud will become more difficult under a National Popular Vote, because crooked party operatives will no longer be able to focus their efforts on just a handful of states, and the windfall of electoral votes for their illicit efforts will be smaller. For the same reason, it also reduces the possibility of recounts.

What did the Founding Fathers prefer? Not winner-take-all. The Founders debated various methods of the electoral college and almost adopted the proportional system at the Constitutional Convention. They never debated a winner-take-all system. As the states began to adopt winner-take-all, in order to ensure that their favorite sons like Thomas Jefferson won, Missouri Senator Thomas Hart Benton warned in an

1824 Senate speech, "The general ticket system [winner-take-all], now existing in 10 States was ... not [the offspring] of any disposition to give fair play to the will of the people. It was adopted by the leading men of those states, to enable them to consolidate the vote of the State."

There are a significant number of prominent conservatives who understand what is taking place demographically so they support direct presidential elections. They include former congressmen Tom Tancredo (R-CO), Bob Barr (R-GA), former House Speaker Newt Gingrich (R-GA) and eight former national chairs of the conservative American Legislative Exchange Council.

So far, 11 states have passed laws implementing the National Popular Vote Compact, and it has passed in at least one chamber of 12 other state legislatures, four of which are red states. It will go into effect when enough states have passed it to total 270 electoral votes. When polled (by a left-leaning polling company), 74 percent of Americans support direct presidential elections. This breaks down to 75 percent among Republicans and 78 percent among Democrats. The left naively thinks direct presidential elections will benefit Democrats, assuming that large urban areas will decide elections. This bipartisan support means there is a good chance it will happen.

The purpose of the National Popular Vote bill is to make every voter in every state politically relevant in every presidential election. This is the only way to right size the political influence of battleground states. Clinging to the winner-take-all system is a losing strategy for Republicans. Under that system, they will likely lose Florida by 2020 or 2024 due to demographical changes. It is better to take our chances with a direct presidential election than suffer certain defeat with the unfair, outdated, flawed current system that can and should be reformed.

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National Popular Vote, 990 Villa Street, Mountain View, CA 94041

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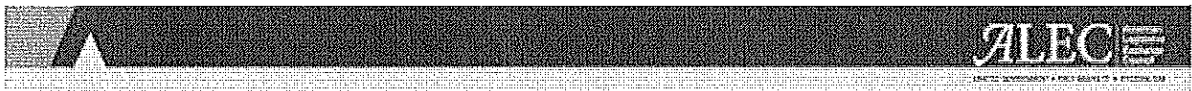


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ital Exchange: December 14,

## he Week

ALEC hosted the States and Nation Policy Summit in Nashville, TN. A record-setting number of attendees enjoyed speakers, spirited policy debate and thought provoking workshops. See some of the highlights of our week in Mi



## Highlights

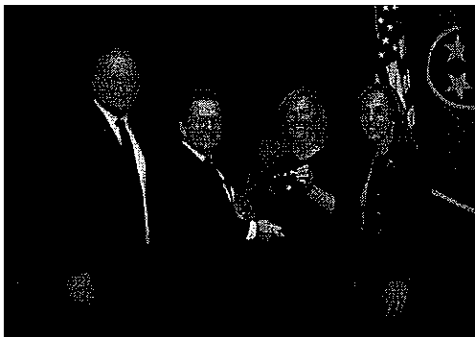
### Committee to Unleash Prosperity Discusses Tax Reform, Fiscal Responsibility



The Committee to Unleash Prosperity, consisting of titans of economic business Arthur Laffer, Steve Forbes, Larry Kudlow and Stephen Moore, gave a panel discussion at the States and Nation Policy Summit. The discussion ranged from tax reform to politics and business and provided an exclamation point on ALEC involvement in fiscal issues this year.

[Watch Panel](#)

### Laffer Wins Inaugural Laffer Award for Economic Excellence



ALEC recognized the first winner of the Laffer Award for Economic Excellence, Dr. Art Laffer, at the States and Nation Policy Summit.

Often called "The Father of Supply Side Economics", Dr. Laffer has been a stalwart at ALEC for decades. He is the co-author of *Rich States, Poor States* and a friend and mentor to staff and legislators alike.

[Watch Ceremony](#)

### ALEC Recognizes its Stars at Awards Dinner



At the Annual Awards Dinner, ALEC recognized the outstanding contributions of a number of its members over the course of the year. Four members were awarded: Legislator of the Year, Public Sector Chair of the Year, Private Sector Chair of the Year, and Volunteer of the Year. Find out who they are.

[Read Article](#)